

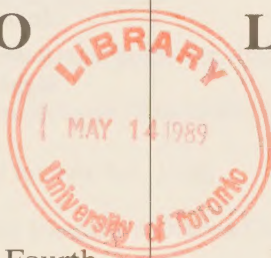
Digitized by the Internet Archive
in 2022 with funding from
University of Toronto



Ontario

**STATUTES
OF
ONTARIO
1988**

**LOIS
DE
L'ONTARIO
1988**



First Session, Thirty-Fourth
Legislature

Première session,
trente-quatrième législature

36-37 Elizabeth II

36-37 Elizabeth II

The Honourable
Lincoln M. Alexander
Lieutenant Governor

L'honorable
Lincoln M. Alexander
Lieutenant-gouverneur

PRINTED BY THE
©QUEEN'S PRINTER FOR ONTARIO

IMPRIMÉ PAR
©L'IMPRIMEUR DE LA REINE POUR
L'ONTARIO

TORONTO
1988

These are the Statutes
of Ontario that
received Royal Assent
during that part of
the First Session of
the Thirty-Fourth
Legislation which
was held in 1988.

Les lois de l'Ontario
contenues dans le présent
volume ont reçu la sanction
royale au cours de la partie
de la première session de
la trente-quatrième
législature qui s'est tenue
en 1988.

TABLE OF CONTENTS

PART I

PUBLIC ACTS

Chapter	PAGE
60 — Agricultural and Horticultural Organizations Act, 1988 (<i>Bill 66</i>)	747
30 — Arbitrage commercial international, Loi de 1988 sur l' . . . (<i>Projet de loi 7</i>) (International Commercial Arbitration Act, 1988)	229
53 — Centre des congrès d'Ottawa, Loi de 1988 sur le (<i>Projet de loi 142</i>) (Ottawa Congress Centre Act, 1988)	655
36 — Child and Family Services Amendment Act, 1988 (<i>Bill 107</i>)	377
17 — Conflits d'intérêts des membres de l'Assemblée, Loi de 1988 sur les (<i>Projet de loi 1</i>) (Members' Conflict of Interest Act, 1988)	87
47 — Conseil scolaire de langue française d'Ottawa-Carleton, Loi de 1988 sur le (<i>Projet de loi 109</i>) (Ottawa-Carleton French-Language School Board Act, 1988)	505
41 — Conservation Land Act, 1988 (<i>Bill 68</i>)	409
40 — Consumer Reporting Amendment Act, 1988 (<i>Bill 52</i>)	407
42 — Corporations Tax Amendment Act, 1988 (<i>Bill 84</i>)	411
69 — Courts of Justice Amendment Act, 1988 (<i>Bill 150</i>)	837
51 — Destruction des mauvaises herbes, Loi de 1988 sur la . . . (<i>Projet de loi 138</i>) (Weed Control Act, 1988)	627
46 — Education Amendment Act, 1988 (<i>Bill 100</i>)	499
27 — Education Statute Law Amendment Act, 1988 (<i>Bill 125</i>)	199
16 — Election Finances Amendment Act, 1988 (<i>Bill 81</i>)	83
3 — Employee Share Ownership Plan Act, 1988 (<i>Bill 20</i>)	15
7 — Employment Standards Amendment Act, 1988 (<i>Bill 51</i>)	47
32 — Energy Efficiency Act, 1988 (<i>Bill 82</i>)	287

Chapter	PAGE
54 — Environment Statute Law Amendment Act, 1988 (Bill 148)	667
37 — Execution Amendment Act, 1988 (Bill 6)	393
15 — Executive Council Amendment Act, 1988 (Bill 80)	81
61 — Farm Implements Act, 1988 (Bill 78)	759
62 — Farm Practices Protection Act, 1988 (Bill 83)	779
68 — Farm Products Containers Act, 1988 (Bill 140)	833
34 — Financial Administration Amendment Act, 1988 (Bill 118)	349
25 — Fonds du patrimoine du Nord de l'Ontario, Loi de 1988 sur le (Projet de loi 116) (Northern Ontario Heritage Fund Act, 1988)	191
49 — Gasoline Handling Amendment Act, 1988 (Bill 133)	613
66 — Gasoline Tax Amendment Act, 1988 (Bill 121)	827
67 — Grain Elevator Storage Amendment Act, 1988 (Bill 139)	829
44 — Highway Traffic Amendment Act, 1988 (Bill 86)	429
73 — Income Tax Amendment Act, 1988 (Bill 193)	863
30 — International Commercial Arbitration Act, 1988 (Bill 7) (Loi de 1988 sur l'arbitrage commercial international)	228
45 — International Sale of Goods Act, 1988 (Bill 90) (Loi de 1988 sur la vente internationale de marchandises)	444
71 — Intervenor Funding Project Act, 1988 (Bill 174) (Loi de 1988 sur le projet d'aide financière aux intervenants)	844
14 — Legislative Assembly Amendment Act, 1988 (No. 1) (Bill 79)	77
72 — Legislative Assembly Amendment Act, 1988 (No. 2) (Bill 181)	861
17 — Members' Conflict of Interest Act, 1988 (Bill 1) (Loi de 1988 sur les conflits d'intérêts des membres de l'Assemblée)	86
52 — Metropolitan Toronto Convention Centre Corporation Act, 1988 (Bill 141)	647
48 — Mining Amendment Act, 1988 (Bill 132)	611
43 — Mining Tax Amendment Act, 1988 (Bill 85)	423

Chapter	PAGE
13 — Ministry of Agriculture and Food Statute Law Amendment Act, 1988 (Bill 65)	59
11 — Ministry of Colleges and Universities Amendment Act, 1988 . . . (Bill 56)	55
4 — Ministry of Revenue Amendment Act, 1988 (Bill 21)	35
38 — Motor Vehicle Repair Act, 1988 (Bill 22)	395
20 — Municipal Elections Statute Law Amendment Act, 1988 (No. 1) (Bill 77)	145
33 — Municipal Elections Statute Law Amendment Act, 1988 (No. 2) (Bill 106)	293
56 — Municipal Extra-Territorial Tax Act, 1988 (Bill 159)	721
31 — Municipal Statute Law Amendment Act, 1988 (Bill 59)	261
12 — Municipality of Metropolitan Toronto Amendment Act, 1988 (No. 1) (Bill 61)	57
19 — Municipality of Metropolitan Toronto Amendment Act, 1988 (No. 2) (Bill 29)	133
70 — Municipality of Metropolitan Toronto Amendment Act, 1988 (No. 3) (Bill 160)	839
25 — Northern Ontario Heritage Fund Act, 1988 (Bill 116) (Loi de 1988 sur le Fonds du patrimoine du Nord de l'Ontario)	190
58 — Occupational Health and Safety Amendment Act, 1988 (Bill 180)	735
18 — Ontario Automobile Insurance Board Act, 1988 (Bill 2)	109
63 — Ontario Highway Transport Board Amendment Act, 1988 . . . (Bill 87)	785
35 — Ontario Home Ownership Savings Plan Act, 1988 (Bill 126)	351
1 — Ontario Loan Act, 1988 (No. 1) (Bill 11)	1
26 — Ontario Loan Act, 1988 (No. 2) (Bill 117)	197
6 — Ontario Unconditional Grants Amendment Act, 1988 (Bill 46)	45
10 — Operating Engineers Amendment Act, 1988 (Bill 56)	53
47 — Ottawa-Carleton French-Language School Board Act, 1988 . . . (Bill 192) (Loi de 1988 sur le Conseil scolaire de langue française d'Ottawa-Carleton)	504

Chapter	PAGE
53 — Ottawa Congress Centre Act, 1988 (<i>Bill 142</i>) (Loi de 1988 sur le Centre des congrès d'Ottawa)	654
55 — Pitts and Quarries Control Amendment Act, 1988 (<i>Bill 153</i>)	719
59 — Placements sud-africains détenus en fiducie, Loi de 1988 sur les (<i>Projet de loi 9</i>) (South African Trust Investments Act, 1988)	741
39 — Prepaid Services Act, 1988 (<i>Bill 26</i>)	401
29 — Proceedings Against the Crown Amendment Act, 1988 (<i>Bill 5</i>)	225
71 — Projet d'aide financière aux intervenants, Loi de 1988 sur le (<i>Projet de loi 174</i>) (Intervenor Funding Project Act, 1988)	845
74 — Psychologists Registration Amendment Act, 1988 (<i>Bill 196</i>)	881
50 — Public Lands Amendment Act, 1988 (<i>Bill 137</i>)	617
24 — Public Transportation and Highway Improvement Amendment Act, 1988 (<i>Bill 98</i>)	183
2 — Race Tracks Tax Act, 1988 (<i>Bill 19</i>)	3
23 — Regional Municipality of Waterloo Statute Law Amendment Act, 1988 (<i>Bill 130</i>)	159
22 — Rental Housing Protection Amendment Act, 1988 (<i>Bill 108</i>)	157
59 — South African Trust Investments Act, 1988 (<i>Bill 9</i>) (Loi de 1988 sur les placements sud-africains détenus en fiducie)	740
28 — Supply Act, 1988 (<i>Bill 144</i>)	223
8 — Theatres Amendment Act, 1988 (<i>Bill 54</i>)	49
65 — Tobacco Tax Amendment Act, 1988 (<i>Bill 120</i>)	825
21 — Toronto Economic Summit Construction Act, 1988 (<i>Bill 115</i>)	155
5 — Travel Industry Amendment Act, 1988 (<i>Bill 25</i>)	41
64 — Truck Transportation Act, 1988 (<i>Bill 88</i>)	789
9 — Upholstered and Stuffed Articles Amendment Act, 1988 (<i>Bill 55</i>)	51

Chapter	PAGE
45 — Vente internationale de marchandises, Loi de 1988 sur la (<i>Projet de loi 90</i>) (International Sale of Goods Act, 1988)	445
51 — Weed Control Act, 1988 (<i>Bill 138</i>) (Loi de 1988 sur la destruction des mauvaises herbes)	626
57 — Wine Content Act, 1988 (<i>Bill 167</i>)	731

PART II

PRIVATE ACTS

Chapter	PAGE
Pr53 — 288093 Ontario Limited Act, 1988 (<i>Bill Pr55</i>)	1059
Pr46 — 329931 Ontario Limited Act, 1988 (<i>Bill Pr72</i>)	1039
Pr 7 — 353583 Ontario Limited Act, 1988 (<i>Bill Pr26</i>)	905
Pr56 — Ariann Developments Inc. Act, 1988 (<i>Bill Pr66</i>)	1067
Pr 5 — Association of Registered Wood Energy Technicians of Ontario Act, 1988 (<i>Bill Pr21</i>)	893
Pr12 — Big Cedar Association Act, 1988 (<i>Bill Pr2</i>)	921
Pr39 — Brockville Rowing Club Incorporated Act, 1988 (<i>Bill Pr46</i>)	1013
Pr 2 — Centre for Educative Growth Act, 1988 (<i>Bill Pr12</i>)	887
Pr48 — Charlotte Eleanor Englehart Hospital Act, 1988 (<i>Bill Pr9</i>)	1049
Pr13 — Chartered Institute of Marketing Management of Ontario Act, 1988 (<i>Bill Pr5</i>)	923
Pr10 — Community Youth Programs Incorporated Act, 1988 ... (<i>Bill Pr70</i>)	913
Pr11 — Conrad Grebel College Act, 1988 (<i>Bill Pr71</i>)	915
Pr44 — City of Etobicoke Act, 1988 (<i>Bill Pr52</i>)	1023
Pr23 — General Hospital of Port Arthur Act, 1988 (<i>Bill Pr30</i>)	957

Chapter	PAGE
Pr57 — George A. McNamara Memorial Foundation Act, 1988 . . . (<i>Bill Pr73</i>)	1069
Pr42 — Gottscheer Relief Association Act, 1988 (<i>Bill Pr50</i>)	1019
Pr31 — City of Hamilton Act, 1988 (<i>Bill Pr67</i>)	987
Pr18 — Hamilton Civic Hospitals Act, 1988 (<i>Bill Pr24</i>)	939
Pr43 — Incorporated Synod of the Diocese of Huron Act, 1988 . . (<i>Bill Pr51</i>)	1021
Pr19 — Kingsway General Insurance Company Act, 1988 (<i>Bill Pr25</i>)	945
Pr55 — Kitchener-Waterloo Foundation Act, 1988 (<i>Bill Pr65</i>)	1063
Pr15 — L F P Management Limited Act, 1988 (<i>Bill Pr11</i>)	931
Pr50 — LaPlante Lithographing Company Limited Act, 1988 . . . (<i>Bill Pr32</i>)	1053
Pr41 — Lebon Gold Mines Limited Act, 1988 (<i>Bill Pr49</i>)	1017
Pr25 — Machin Mines Limited Act, 1988 (<i>Bill Pr34</i>)	961
Pr33 — Town of Markham Act, 1988 (<i>Bill Pr20</i>)	995
Pr21 — Mid-Continent Bond Corporation, Limited Act, 1988 . . . (<i>Bill Pr28</i>)	953
Pr17 — City of Mississauga Act, 1988 (<i>Bill Pr22</i>)	937
Pr37 — Moravian Temple Corporation Act, 1988 (<i>Bill Pr44</i>)	1007
Pr24 — City of North York Act, 1988 (No. 1) (<i>Bill Pr31</i>)	959
Pr45 — City of North York Act, 1988 (No. 2) (<i>Bill Pr58</i>)	1029
Pr28 — Town of Oakville Act, 1988 (<i>Bill Pr48</i>)	969
Pr20 — Ontario Municipal Management Institute Act, 1988 (<i>Bill Pr27</i>)	947
Pr14 — Oshawa Public Utilities Commission Act, 1988 (<i>Bill Pr10</i>)	929
Pr47 — City of Ottawa Act, 1988 (<i>Bill Pr6</i>)	1041
Pr38 — Owen Sound Young Men's and Young Women's Christian Association Act, 1988 (<i>Bill Pr45</i>)	1009
Pr40 — Peterborough Civic Hospital Act, 1988 (<i>Bill Pr47</i>)	1015
Pr52 — Peterborough Historical Society Act, 1988 (<i>Bill Pr53</i>)	1057

Chapter	PAGE
Pr35 — Primrock Mining and Exploration Limited Act, 1988 . . . (<i>Bill Pr35</i>)	1003
Pr27 — Prow Yellowknife Gold Mines Ltd. Act, 1988 (<i>Bill Pr38</i>)	967
Pr51 — Rockton Winter Club Inc. Act, 1988 (<i>Bill Pr42</i>)	1055
Pr49 — Sarnia Kiwanis Foundation Inc. Act, 1988 (<i>Bill Pr18</i>)	1051
Pr58 — City of Sault Ste. Marie Act, 1988 (<i>Bill Pr75</i>)	1071
Pr36 — County of Simcoe Act, 1988 (<i>Bill Pr41</i>)	1005
Pr 3 — Special Ability Riding Institute Act, 1988 (<i>Bill Pr13</i>)	889
Pr16 — City of Sudbury Act, 1988 (<i>Bill Pr19</i>)	933
Pr 6 — Sudbury Cardio-Thoracic Foundation Act, 1988 (<i>Bill Pr23</i>)	903
Pr54 — Tavone Enterprises Limited Act, 1988 (<i>Bill Pr63</i>)	1061
Pr 1 — City of Toronto Act, 1988 (No. 1) (<i>Bill Pr8</i>)	885
Pr29 — City of Toronto Act, 1988 (No. 2) (<i>Bill Pr56</i>)	973
Pr32 — City of Toronto Act, 1988 (No. 3) (<i>Bill Pr16</i>)	989
Pr 8 — Toronto Ski Club Act, 1988 (<i>Bill Pr54</i>)	907
Pr22 — United Church of Canada Act, 1988 (<i>Bill Pr29</i>)	955
Pr26 — University of Western Ontario Act, 1988 (<i>Bill Pr37</i>)	963
Pr34 — Vic Johnston Community Centre Inc. Act, 1988 (<i>Bill Pr33</i>)	1001
Pr 9 — City of Windsor Act, 1988 (<i>Bill Pr69</i>)	909
Pr30 — Windsor Utilities Commission Act, 1988 (<i>Bill Pr62</i>)	985
Pr 4 — York Fire & Casualty Insurance Company Act, 1988 (<i>Bill Pr14</i>)	891

TABLES

Table of Public Statutes and Amendments: R.S.O. 1980; 1981; 1982; 1983;
1984; 1985; 1986; 1987; 1988 1073

Table of Proclamations: R.S.O. 1980; 1981; 1982; 1983; 1984; 1985; 1986;
1987; 1988 1095

Table of Private Acts: 1985; 1986; 1987; 1988 1105

Table of Regulations filed under the *Regulations Act* to December 31st,
1988 1113

PART I
PUBLIC ACTS

Chapters 1 to 74

CHAPTER 1

An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Lieutenant Governor in Council is hereby authorized to raise from time to time by way of loan in any manner provided by the *Financial Administration Act* such sum or sums of money as are considered necessary for discharging any indebtedness or obligation of Ontario, for making any payments authorized or required by any Act to be made out of the Consolidated Revenue Fund or for reimbursing the Consolidated Revenue Fund for any moneys expended for any of such purposes, provided that the principal amount of any securities issued and temporary loans raised under the authority of this Act shall not exceed in the aggregate \$1,600,000,000.

Loans up to
\$1,600,000,000

R.S.O. 1980,
c. 161

(2) The sum of money authorized to be raised by subsection (1) for the purposes mentioned therein shall include the principal amounts of Province of Ontario debentures issued to the Teachers' Superannuation Fund under authority of the *Teachers' Superannuation Act, 1983* and to the Ontario Municipal Employees Retirement Fund under authority of the *Ontario Municipal Employees Retirement System Act*, but shall be in addition to all sums of money authorized to be raised by way of loan under any other Act.

Idem

1983, c. 84

R.S.O. 1980,
c. 348

2. No money shall be raised by way of loan under subsection 1 (1) except to the extent authorized by order of the Lieutenant Governor in Council made prior to the 30th day of September, 1988.

Limitation

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. The short title of this Act is the *Ontario Loan Act, 1988*.

Short title

CHAPTER 2

An Act to revise the Race Tracks Tax Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“assessment” includes a reassessment;

“bet” means a bet placed under the system known as pari-mutuel wagering upon a race run at a race meeting;

“Minister” means the Minister of Revenue;

“operator” means a person who,

- (a) operates a race course,
- (b) conducts a race meeting, or
- (c) is in any manner the custodian or depository of money that is staked or deposited in the placing of a bet upon a race run at a race meeting;

“person”, in addition to its meaning in the *Interpretation Act*, includes a partnership, an unincorporated association or club and an agricultural society constituted under the *Agricultural Societies Act*;

R.S.O. 1980,
c. 219

R.S.O. 1980,
c. 14

“prescribed” means prescribed by the regulations;

“race meeting” means a series of horse races conducted by an operator;

“regulations” means the regulations made under this Act;

“Treasurer” means the Treasurer of Ontario and Minister of Economics;

“triator bet” means a bet in which the person placing the bet undertakes to select in the exact order of finish the first three horses to finish in a race.

Tax rate

2. Every person who places a bet in Ontario upon a race run at a race meeting held in Ontario or elsewhere shall pay to Her Majesty in right of Ontario a tax equal to,

- (a) 9 per cent of the amount of money deposited by the person with the operator at the time he or she places a triactor bet; and
- (b) 7 per cent of the amount of money deposited by the person with the operator at the time he or she places a bet other than a triactor bet.

Tax collection

3.—(1) Every operator shall collect the tax under section 2 as agent of Her Majesty in right of Ontario from the person placing the bet by deducting it from the money deposited with the operator by the person placing the bet before recording and applying the money in the placing of the bet.

Duties of an operator

(2) Every operator shall,

- (a) be deemed to hold all amounts the operator collects under this Act in trust for Her Majesty in right of Ontario;
- (b) keep all amounts collected under this Act separate and apart from the operator’s own moneys; and
- (c) remit all amounts collected under this Act to the Treasurer in the manner and at the time prescribed.

Interest on unremitted tax

(3) If an operator fails to remit the tax collected by the operator under this Act to the Treasurer at the time prescribed, the operator is liable to pay to the Treasurer interest on the unremitted tax at the prescribed rate or rates from the day the tax should have been remitted to the day on which the tax is remitted.

Tax return

(4) Every operator required to collect tax under this Act shall submit a return accounting for the tax collected to the Minister for the period and at the time prescribed.

Extended time for making returns

(5) The Minister may enlarge the time for making any return before or after the time prescribed for making it.

(6) No person acting as an agent of Her Majesty in right of Ontario under this section shall thus be made ineligible as a member of the Assembly.

Member of
Assembly

4.—(1) Every operator shall keep records and books of account of such nature and in such manner as is prescribed.

Records and
books of
account

(2) Records and books of account required to be kept under subsection (1) shall be kept,

Location of
records and
books of
account

- (a) at the operator's place of business or residence in Ontario; or
- (b) at a place in Ontario or elsewhere approved in writing by the Minister, under any terms and conditions the Minister may impose.

(3) If, in the opinion of the Minister, an operator fails to keep adequate records and books of account for the purposes of this Act, the Minister may, by notice in writing, require the operator to keep, and the operator shall keep, such records and books of account as are specified in the notice.

Requirement
by Minister
to keep
records

(4) Every operator shall retain all records and books of account, together with every account and voucher necessary to verify the information contained therein, until such time as all prescribed terms or conditions have been met.

Records
retention
period

5.—(1) Any person authorized by the Minister for any purpose related to the administration or enforcement of this Act may at all reasonable times enter any premises or place where an operator carries on business or keeps books and records and may,

Investigations

- (a) audit or examine the books and records and any account, voucher, letter, telegram or other document that relates to or may relate to the tax imposed by this Act or any return required under this Act;
- (b) examine any property, process or matter that, in his or her opinion, may assist in determining or ascertaining,
 - (i) the information that is or should be in the books and records,
 - (ii) the amount of any tax imposed by this Act, or

(iii) whether or not a return is required under this Act; and

- (c) require the operator or the operator's employees or agents to give all reasonable assistance with the audit or examination and to answer all proper questions relating to the audit or examination either orally or, if so required in writing, on oath or by statutory declaration and for that purpose may require that person to attend at the premises or place.

Obstruction

(2) No person shall obstruct or interfere with any person authorized by the Minister under subsection (1) in the exercise of his or her powers under this section.

Demand for information

6. For the purpose of obtaining any information that the Minister considers necessary for the purposes of this Act, the Minister may demand from any person such information as is indicated in a letter delivered personally or sent by registered or certified mail to the person, and the person shall furnish to the Minister all such information that the person has in his or her personal possession or under his or her control, in writing, within such reasonable period of time after the delivery or sending of the letter as is stipulated therein.

Assessment of tax collected

7.—(1) Where an operator fails to submit a return or fails to remit amounts collected under this Act as required under this Act or the regulations, or if the return is not substantiated by the operator's records, the Minister may make an assessment of the tax collected by the operator at any time and such assessed amount shall be deemed to be the tax collected by the operator.

Idem

(2) The Minister is not bound by a return submitted or information furnished by or on behalf of an operator and may, whether or not a return has been submitted, make an assessment of the tax collected by the operator at any time.

Continuing liability

(3) Liability to remit tax collected under this Act is not affected by an incorrect or incomplete assessment or by the fact that no assessment has been made.

Notice of assessment

(4) Where the Minister makes an assessment under this section or section 8, the Minister shall serve by prepaid mail or by personal service a notice of assessment on the operator and the operator shall, within thirty days of the day of mailing or of personal service of the notice of assessment, remit to the Treasurer all amounts assessed and not previously paid or remitted by the operator, together with any interest thereon

payable under subsection 3 (3), whether or not an objection to or appeal from the assessment is outstanding.

(5) Where in the opinion of the Minister an operator is attempting to avoid payment of an amount assessed under this Act, the Minister may, notwithstanding subsection (4), direct that all amounts set out in the notice of assessment be paid forthwith.

Payment
forthwith

(6) Any assessment made under this section or section 8, subject to being varied or vacated on an objection or appeal and subject to a reassessment, shall be deemed to be valid and binding notwithstanding any error, defect or omission therein or in any proceeding under this Act relating thereto.

Assessment
valid and
binding

8.—(1) Every operator who fails to collect tax as required under this Act shall pay a penalty, when assessed therefor, equal to the amount of tax that the operator failed to collect.

Penalty for
non-
collection
of tax

(2) Every operator who fails to submit a return or fails to remit the tax collected as required by this Act and the regulations shall pay a penalty, when assessed therefor, equal to the greater of,

Penalty for
failure to
submit return
or to remit
tax

(a) \$25; and

(b) 10 per cent of the amount of tax collected and not remitted.

(3) Where the Minister is satisfied that an operator's failure to collect the tax that should have been collected under this Act is attributable to neglect, carelessness, wilful default or fraud, the Minister may assess a penalty against the operator, in lieu of any penalty that may be assessable under subsection (1), equal to the aggregate of the amount of tax the operator failed to collect and the greater of,

Where tax
not collected
because of
neglect,
fraud, etc.

(a) \$100; and

(b) 25 per cent of the amount of tax the operator failed to collect.

(4) No penalty may be assessed under subsection (1) or (2) more than three years after the date when the tax was required to be collected under this Act, the operator was required to submit a return under this Act and the regulations or the operator was required to remit the tax under this Act, as the case may be.

Penalty
assessment
time limit

- Idem (5) A penalty under subsection (3) may be assessed more than three years after the date when the tax was required to be collected under this Act.
- Interest (6) Any penalty assessed by the Minister under this section shall, if it is not paid within the time provided in subsection 7 (4), bear interest, at such rate as is prescribed, calculated from thirty days after the day of mailing or of personal service of the notice of assessment of the penalty until the day of payment.
- Surety bond **9.**—(1) The Minister may require an operator to deposit with the Treasurer a bond by way of cash or other security satisfactory to the Minister in an amount to be determined by the Minister.
- Disposal of surety bond (2) Where an operator who has deposited a bond with the Treasurer under subsection (1) has failed to collect or remit tax as required under this Act and the regulations, the Minister may apply the bond in whole or in part to the amount that should have been collected or remitted and shall forthwith give written notice thereof to the operator by registered mail or personal service.
- Recovery of tax **10.**—(1) Upon default of payment by an operator of any amount payable under this Act, the Minister may,
- (a) bring an action for the recovery thereof in any court in which a debt or money demand of a similar amount may be collected, and every such action shall be brought and executed in and by the name of the Minister or the Minister's name of office and may be continued by a successor of the Minister in office as if no change had occurred and shall be tried without a jury;
 - (b) issue a warrant directed to the sheriff of any county or district in which any property of the operator is located or situate for the amount owing by the operator, together with interest thereon from the date of the issue of the warrant and the fees and expenses of the sheriff, and the warrant has the same force and effect as a writ of seizure and sale issued out of the Supreme Court.
- Idem (2) The use of any remedy provided by subsection (1) does not bar or affect any of the other remedies therein provided, and the remedies provided by this Act for the recovery and enforcement of the payment of amounts due under this Act are in addition to any other remedies existing by law, and no

action or other proceeding taken in any way prejudices, limits or affects any lien, charge or priority existing under this Act or otherwise.

11. The provisions of sections 22, 23, 24, 25, 26, 27 and 28 of the *Retail Sales Tax Act* apply with necessary modifications for the purposes of objections and appeals by an operator of assessments of tax or penalties under section 7 or 8 of this Act.

Objections
R.S.O. 1980,
c. 454

12.—(1) Every operator who fails to submit a return to the Minister or to remit the tax collected under this Act to the Treasurer as required by this Act and the regulations is guilty of an offence and, in addition to any penalty otherwise provided under this Act, is liable on conviction to a fine of not less than \$100 and not more than double the amount of tax collected and not remitted.

Offences

(2) Every person who has,

Idem

- (a) made, or participated in, assented to or acquiesced in the making of false or deceptive statements in a return, certificate, statement or answer, delivered or made as required by or under this Act or the regulations made under this Act;
- (b) to evade collection or remittance of a tax imposed by this Act, destroyed, altered, mutilated, secreted or otherwise disposed of records or books of account;
- (c) made, assented to or acquiesced in the making of false or deceptive entries or omitted, or assented to or acquiesced in the omission to enter a material particular in records or books of account; or
- (d) wilfully, in any manner, evaded or attempted to evade compliance with this Act,

is guilty of an offence and, in addition to any penalty otherwise provided by this Act, is liable on conviction to a fine of,

- (e) not less than the greater of \$500 and 25 per cent of the tax that was not remitted or was not collected; and
- (f) not more than twice the amount of such tax,

or to imprisonment for a term of not more than two years, or to both fine and imprisonment.

Idem

(3) Every operator who fails to collect the tax imposed by this Act is guilty of an offence and, in addition to any penalty otherwise provided under this Act, is liable on conviction to a fine equal to the amount of tax that should have been collected as determined under subsection (4) and, in addition, an amount not less than \$50 and not more than \$2,000.

Determination of tax

(4) The Minister shall determine the amount of tax referred to in subsection (3) from such information as is available to the Minister and shall issue a certificate as to the amount, but, except where the Minister considers there has been a deliberate evasion of this Act, the Minister shall not consider a period of more than three years in determining the amount of tax that should have been collected.

Certificate of tax

(5) In any prosecution under subsection (3), a certificate signed or purported to be signed by the Minister stating the amount of tax that should have been collected is *prima facie* proof of the amount of tax that should have been collected and of the authority of the person giving or making the certificate without any proof of appointment or signature.

Idem

(6) Every person who contravenes or fails to comply with,

(a) subsection 4 (1), (2), (3) or (4);

(b) clause 5 (1) (c); or

(c) subsection 5 (2),

of this Act is guilty of an offence and on conviction is liable to a fine of \$50 for each day during which the contravention or failure exists.

General offence

(7) Every person who contravenes, or fails to comply with, any of the provisions of this Act or the regulations is guilty of an offence and, if no other fine is provided for that offence under this Act, is liable upon conviction to a fine of not less than \$100 and not more than \$2,500.

Idem

(8) Every individual who directed, authorized, assented to, acquiesced in or participated in the commission of any act or omission which is an offence under this Act and for which a corporation, agricultural society, association or club would be liable for prosecution under this Act is guilty of an offence and on conviction is liable to the punishment provided for the offence, whether or not the corporation, agricultural society, association or club has been prosecuted or convicted.

(9) Proceedings shall not be commenced in respect of an offence under this Act six years after the date on which the offence was, or is alleged to have been, committed.

Limitation

(10) Neither the application of any provision of this section nor the enforcement of any penalty hereunder suspends or affects any remedy for the recovery of any tax under this Act or of any penalty assessed under section 8.

Other remedies not affected

13.—(1) Except as authorized by this section, no person employed by the Government of Ontario shall,

Confidentiality

- (a) knowingly communicate or knowingly allow to be communicated to any person any information obtained by or on behalf of the Minister for the purposes of this Act; or
- (b) knowingly allow any person to inspect or to have access to any record or thing obtained by or on behalf of the Minister for the purposes of this Act.

(2) Notwithstanding any other Act, but subject to subsection (3), no person employed by the Government of Ontario shall be required, in connection with any legal proceedings,

Non-disclosure

- (a) to give evidence relating to any information obtained by or on behalf of the Minister for the purposes of this Act; or
- (b) to produce any record or thing obtained by or on behalf of the Minister for the purposes of this Act.

(3) Subsections (1) and (2) do not apply in respect of,

Exceptions

- (a) criminal proceedings under any Act of the Parliament of Canada;
- (b) proceedings in respect of the trial of any person for an offence under an Act of the Legislature; or
- (c) proceedings relating to the administration or enforcement of this Act or the collection or assessment of tax or a penalty under this Act.

(4) A person employed by the Government of Ontario may, in the course of his or her duties in connection with the administration or enforcement of this Act,

Idem

- (a) communicate or allow to be communicated to an official or authorized person employed by the Gov-

ernment of Ontario in the administration and enforcement of any laws relating to the raising of revenues for provincial purposes any information obtained by or on behalf of the Minister for the purposes of this Act; and

- (b) allow an official or authorized person employed by the Government of Ontario in the administration or enforcement of any laws relating to the raising of revenues for provincial purposes to inspect or have access to any record or thing obtained by or on behalf of the Minister for the purposes of this Act.

Copies

(5) Notwithstanding anything in this Act, the Minister may permit a copy of any record or thing obtained by the Minister or on the Minister's behalf for the purposes of this Act to be given to,

- (a) the person from whom the record or thing was obtained; or
- (b) any person,
 - (i) for the purposes of any objection or appeal that has been or may be taken by that person under this Act arising out of any assessment of tax, interest or penalties under this Act in connection with which the book, record, writing, return or other document was obtained, or
 - (ii) by whom any amount payable under this Act is payable or has been paid,

or the legal representative of any person mentioned in clause (a) or (b) or the agent of any such person authorized in writing in that behalf.

Disclosure to
other
jurisdictions

(6) Notwithstanding anything in this or any other Act, the Minister may permit information or a copy of any record or thing obtained by the Minister or on the Minister's behalf for the purposes of this Act to be given to,

- (a) a minister of the Government of Canada or any officer or employee employed under a minister of the Government of Canada for the purposes of administering or enforcing an Act of the Parliament of Canada imposing any tax or duty; or

- (b) a minister of the government of any province or territory of Canada or officer or employee employed under that minister, for the purposes of administering or enforcing an Act or ordinance of the Legislature of that province or territory imposing any tax or duty,

if the minister of the Government of Canada or the minister of the government of the province or territory, as the case may be, is permitted to give to the Minister information or copies of any record or thing obtained by or on behalf of the minister of the Government of Canada, or the minister of the government of that province or territory, as the case may be, in the administration or enforcement of that Act for the purposes of the administration or enforcement of this Act.

(7) Notwithstanding anything in this Act or any other Act, Idem
the Minister may communicate or allow to be communicated to an official of the Ministry of Treasury and Economics, solely for the purpose of evaluating and formulating tax policy, information obtained under this Act.

(8) Every person, Offence

- (a) who contravenes subsection (1); or
- (b) to whom information has been provided under the authority of subsection (4), (5), (6) or (7) who uses, communicates or allows to be communicated such information for any purposes other than that for which it was provided,

is guilty of an offence and is liable on conviction to a fine of not more than \$200.

14.—(1) The Lieutenant Governor in Council may make regulations, Regulations:
by
Lieutenant
Governor in
Council

- (a) prescribing the method of collection and remittance of the tax imposed under this Act and any condition or requirement affecting the collection or remittance;
- (b) authorizing or requiring the Deputy Minister of Revenue or any other officer of the Ministry of Revenue to exercise any power or perform any duty conferred or imposed upon the Minister by this Act or the regulations;

- (c) defining any word or expression used in this Act that has not already been expressly defined in this Act;
- (d) prescribing the rate of interest payable under this Act or the regulations, or a formula for computing that rate, and the method of calculating that interest;
- (e) prescribing the records, books of account and information to be kept and maintained by an operator;
- (f) prescribing anything that by this Act is to be prescribed or is to be determined by the regulations.

by Minister

(2) The Minister may make regulations,

- (a) prescribing, defining or determining anything that the Minister is permitted or required by this Act to prescribe, define or determine;
- (b) prescribing any form required by this Act or the regulations or that, in the Minister's opinion, will assist in the administration of this Act, and prescribing how and by whom any form shall be completed and what information it shall contain.

may be
retroactive

(3) A regulation is, if it so provides, effective with reference to a period before it was filed.

Repeals

15.—(1) The following are repealed:

- 1. The *Race Tracks Tax Act*, being chapter 428 of the Revised Statutes of Ontario, 1980.
- 2. The *Race Tracks Tax Amendment Act, 1981*, being chapter 5.

Application
of
R.S.O. 1980,
c. 428

(2) Notwithstanding subsection (1), the *Race Tracks Tax Act* continues to apply in respect of taxes collected or collectable under that Act before the day this Act comes into force.

Commence-
ment

16. This Act comes into force on the day it receives Royal Assent.

Short title

17. The short title of this Act is the *Race Tracks Tax Act, 1988*.

CHAPTER 3

An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“administrator” means an administrator under an escrow agreement;

“associated corporations” means corporations that are associated corporations under section 256 of the *Income Tax Act* (Canada) or corporations that would be associated corporations under that section if the corporations had been incorporated in Canada; R.S.C. 1952,
c. 148

“eligible corporation” means a corporation to which a certificate of eligibility has been issued under section 7;

“eligible employee” means an eligible employee referred to in section 11;

“employee” means an individual who is employed by an eligible corporation on a continuing basis for at least fourteen hours per week;

“employee group” means those employees who have been certified under subsection 4 (4);

“employee share” means a share issued by an eligible corporation that includes the right,

- (a) to vote at all meetings of shareholders, and
- (b) to receive the remaining property of the corporation upon dissolution;

“employee share ownership plan” means an arrangement whereby eligible employees may acquire employee shares in an eligible corporation;

“employee share purchase agreement” means an agreement entered into by an eligible corporation and its employees for the purchase of employee shares by eligible employees containing the requirements set out in subsection 2 (1);

“escrow agreement” means an agreement entered into by an eligible corporation, an administrator and an eligible employee containing the provisions required under subsection 2 (2);

“Minister” means the Minister of Revenue;

“person” includes an employee, an employee group, a corporation and an administrator;

“prescribed” means prescribed by the regulations;

“regulations” means the regulations made under this Act;

“specified shareholder of the eligible corporation” means a person who is a specified shareholder of the corporation within the meaning of subsection 248 (1) of the *Income Tax Act* (Canada) for the purposes of that Act and any reference to a taxpayer in the definition under that Act shall be read as referring to an employee under this Act;

“taxation year”, in respect of a corporation, means a taxation year of the corporation for the purposes of the *Income Tax Act* (Canada), whether or not the corporation is subject to tax under that Act or is resident in Canada for the purposes of that Act.

R.S.C. 1952,
c. 148

Provisions of
employee
share
purchase
agreement

2.—(1) An employee share purchase agreement shall contain, in addition to any other terms and conditions that are prescribed or that are agreed to by the parties, the following provisions:

1. The employee shares to be purchased in accordance with the agreement shall be offered for purchase to all eligible employees.
2. A method of valuing such employee shares shall be described which shall apply to all common shares and employee shares issued by the eligible corporation.

3. A subscription price for the employee shares shall be specified and shall comply with the method of valuing the shares.
4. The terms and conditions for the purchase, sale, redemption and transfer, as applicable, of the employee shares shall be specified.
5. The employee shares shall be issued to, and be recorded on the share register in the name of, the eligible employee to be held in escrow by the administrator under the escrow agreement.
6. The eligible corporation shall provide to the eligible employees all financial information necessary to fully inform such employees in respect of the purchase, sale, transfer or redemption of employee shares.
7. The eligible corporation shall issue to the administrator an investment confirmation certificate in the prescribed form in respect of the purchase of employee shares.
8. The eligible corporation shall comply with all the provisions of the *Securities Act*, including all notice provisions applicable to the issuance, sale or transfer of shares.
9. The eligible corporation shall advise the eligible employees of the provisions of the *Securities Act* applying to the sale or transfer of shares and applying to insider trading.

R.S.O. 1980,
c. 466

(2) An escrow agreement shall contain, in addition to any other terms and conditions that are prescribed or that are agreed to by the parties, the following provisions:

Provisions of
escrow
agreement

1. All employee shares purchased by an eligible employee shall be held in escrow by the administrator for a period of two years from the date of purchase, or until sold, whichever is the earlier.
2. The administrator shall be a person who is independent of and is not subject to the direction of the eligible corporation or of any eligible employee.
3. The administrator shall deliver to the eligible employee the investment confirmation certificate

issued by the eligible corporation in respect of the employee shares.

4. The administrator shall maintain records of employee shares purchased, sold, transferred or redeemed, in a form acceptable to the Minister and provide to each eligible employee a report of his or her employee shares purchased, sold, transferred or redeemed.
5. All proceeds receivable by an eligible employee on the sale, transfer or redemption of the employee shares held in escrow shall be paid to the administrator.
6. The administrator shall withhold from proceeds received on a sale, transfer or redemption of employee shares paid under paragraph 5 an amount equal to the lesser of the grant paid under section 12 and the amount determined by prescribed formula, and shall remit such amount to the Treasurer of Ontario.
7. The administrator shall file an annual return with the Minister in the manner, at the time and in the form prescribed.

Eligibility to
register
employee
share
ownership
plan

3.—(1) No corporation is eligible to register an employee share ownership plan under this Act unless,

- (a) the corporation is incorporated in Canada;
- (b) the aggregate of all wages and salaries paid in the last taxation year of the corporation that ends before the date of application under subsection 5 (1) to employees of permanent establishments of the corporation in Ontario for the purposes of the *Corporations Tax Act* is not less than 25 per cent of all wages and salaries paid in the year by the corporation;
- (c) either its gross revenue, together with the gross revenue of all associated corporations, or its total assets, together with the total assets of all associated corporations, in the last taxation year ending prior to the date of application under subsection 5 (1) does not exceed \$50,000,000 or such other amount as is prescribed.

R.S.O. 1980,
c. 97

(2) Subject to subsections (3) and (4), for the purposes of subsection (1) and section 10,

Calculation
of gross
revenue and
total assets

(a) the gross revenue of a corporation in a taxation year is the amount equal to the product of,

(i) the gross revenue of the corporation as disclosed in the financial statements of the corporation for that taxation year prepared in accordance with generally accepted accounting principles, and

(ii) the ratio of 365 to the number of days in the taxation year; and

(b) the total assets of a corporation in a taxation year is the amount equal to the sum of,

(i) the total assets as disclosed in the financial statements of the corporation for that taxation year prepared in accordance with generally accepted accounting principles, and

(ii) the amount by which the value of any asset of the corporation has been written down and deducted from its income or undivided profits where such amount is not deductible in the calculation of its taxable income for the current and all prior taxation years under Part I of the *Income Tax Act* (Canada).

R.S.C. 1952,
c. 148

(3) For the purposes of this section and section 10,

Idem,
associated
corporations

(a) if a corporation is a member of a group of associated corporations during its last taxation year ending before the date of application under subsection 5 (1), the gross revenue of the corporation for the taxation year is the amount by which,

(i) the sum of,

(A) the gross revenue of the corporation determined under clause (2) (a), and

(B) the aggregate of all amounts, each of which is the gross revenue of an associated corporation for its taxation year that ends in the last taxation year of the corporation determined under clause (2) (a),

exceeds,

- (ii) the aggregate of any amounts included in the gross revenue of the corporation or an associated corporation attributable to transactions between the corporations; and
- (b) if a corporation is a member of a group of associated corporations during its last taxation year ending before the date of application under subsection 5 (1), the total assets of the corporation for the taxation year is the amount by which,
 - (i) the sum of,
 - (A) the total assets of the corporation determined under clause (2) (b), and
 - (B) the aggregate of all amounts, each of which is the amount of the total assets of an associated corporation for its taxation year that ends in the last taxation year of the corporation determined under clause (2) (b),

exceeds,

- (ii) the aggregate of,
 - (A) the amounts, if any, included in the total assets of the corporation under subclause (i), representing debts owed at the end of the taxation year to the corporation by an associated corporation and to an associated corporation by the corporation, and
 - (B) the cost to the corporation of any shares of an associated corporation beneficially owned by the corporation at the end of the taxation year and the cost to an associated corporation of any shares of the corporation beneficially owned by the associated corporation at the end of its taxation year.

Idem,
corporations
in
partnership

(4) For the purposes of this section and section 10, a corporation that is a member of a partnership shall include in its gross revenue and in its total assets for a taxation year the percentage of gross revenue and the percentage of the total

assets as disclosed in the financial statements of the partnership for the fiscal period ending in that taxation year prepared in accordance with generally accepted accounting principles that represents the corporation's participation in the profits of the partnership during the fiscal period of the partnership.

4.—(1) Where a corporation intends to deliver an application to register an employee share ownership plan, the corporation shall forward to the Minister, in the prescribed manner, copies of the proposed employee share purchase agreement, the proposed escrow agreement and any other material prescribed to be submitted for review by the Minister.

Where corporation proposes to apply to register plan

(2) The Minister shall forthwith review the proposed agreements and other materials submitted under subsection (1) and advise the corporation whether the agreements and other materials comply with this Act.

Review by Minister

(3) Where employees of the corporation referred to in subsection (1) wish to retain the services of one or more persons to assist the employees in the negotiation, evaluation and implementation of an employee share ownership plan, the employees may make an application in the prescribed form to be certified as an employee group under this Act.

Application for certification as employee group

(4) The Minister shall consider the application made under subsection (3) and may certify those employees as an employee group for the purposes of section 14.

Certification by Minister

(5) Where the Minister has certified employees as an employee group under subsection (4), no further applications may be made under subsection (3).

One employee group only

5.—(1) A corporation may apply to have an employee share ownership plan registered under this Act by delivering to the Minister an application in the prescribed form.

Application for registration of plan

(2) The application shall be accompanied by,

Material to accompany application

- (a) the corporation's financial statements for its last taxation year ending prior to the date of application under subsection (1);
- (b) a certified copy of the corporation's articles of incorporation and any amendments thereto; and
- (c) a true copy of the employee share purchase agreement, the escrow agreement and any other material prescribed to be submitted with the application.

Disentitle-
ment to
registration
of plan

6. A corporation is not entitled to have its employee share ownership plan registered under subsection 7 (1) if,

- (a) the employee share purchase agreement does not comply with subsection 2 (1);
- (b) the escrow agreement does not comply with subsection 2 (2);
- (c) the corporation fails to comply with section 3 or 5; or
- (d) the corporation fails to file any material required by this Act or the regulations.

Registration
of plan and
certificate of
eligibility

7.—(1) Where a corporation satisfies the requirements of this Act, the Minister shall register the corporation's employee share ownership plan and issue a certificate of eligibility in the form prescribed by the Minister.

Register
open to
public
inspection

(2) The Minister shall maintain a register of those eligible corporations who have registered an employee share ownership plan under this Act and the register shall be open for public inspection during normal business hours.

Amendments

8.—(1) Where an eligible corporation proposes to amend its employee share purchase agreement or its escrow agreement or any other prescribed material, it shall forthwith advise the Minister.

Approval,
variation or
rejection by
Minister

(2) Upon receipt of any proposal under subsection (1), the Minister shall forthwith consider such proposal and may approve, vary or reject the proposal, subject to section 17.

Returns

9.—(1) Within 180 days after the end of each taxation year ending after the date of registration under subsection 7 (1), every eligible corporation shall prepare and file with the Minister a return in the prescribed form setting out the information required in such return.

Extension of
time

(2) The Minister may, in his or her discretion, enlarge the time for filing the return required under this section.

Revocation
of
registration
or refusal to
pay grant

10. Subject to section 17, the Minister may revoke the registration of the employee share ownership plan of an eligible corporation or refuse to pay a grant under section 12 where,

- (a) the gross revenue of the eligible corporation, together with the gross revenue of all associated

corporations calculated in accordance with section 3, exceeds \$75,000,000, or such other amount as is prescribed, in a taxation year, and the total assets, together with the total assets of all associated corporations calculated in accordance with section 3, also exceed \$75,000,000, or such other amount as is prescribed, in the same taxation year;

- (b) the eligible corporation ceases to comply with clause 3 (1) (b);
- (c) the eligible corporation, its officers or directors or its shareholders have failed to comply with any provisions of this Act or the regulations or are conducting their business and affairs in a manner that is contrary to the spirit and intent of this Act or for the purpose of obtaining a grant under this Act to which they would not otherwise be entitled;
- (d) the eligible corporation proceeds with any amendments not approved by the Minister under subsection 8 (2); or
- (e) the eligible corporation requests deregistration of its employee share ownership plan.

11.—(1) Where an employee is an eligible employee under subsection (2) and complies with the provisions of this Act, the Minister may make a grant under section 12 to the eligible employee upon application therefor.

Grant to
eligible
employee

(2) An employee shall be an eligible employee if,

Where
employee is
eligible
employee

- (a) the employee was resident in Ontario on the last day of the previous calendar year and on the date the eligible corporation issues employee shares to the employee; and
- (b) the employee has been employed by the eligible corporation during the six months prior to the issue of employee shares to him or her under clause (3) (b).

(3) No grant shall be paid unless,

Condition of
payment of
grant

- (a) the eligible employee has applied to the eligible corporation to purchase employee shares of the eligible corporation in accordance with the employee share purchase agreement;

- (b) the eligible corporation has issued such employee shares in the name of the eligible employee and the shares are held in escrow by the administrator;
- (c) the eligible employee has fully paid for the employee shares; and
- (d) the employee shares are newly issued by the eligible corporation.

Idem

(4) No grant shall be paid where,

- (a) the purchaser of any employee shares is a specified shareholder of the eligible corporation;
- (b) the purchase of any employee share entitles the holder thereof to claim a credit against or deduction from income or income tax under the *Income Tax Act* (Canada); or
- (c) the purchase of any employee share entitles the holder thereof to apply for a grant under the *Small Business Development Corporations Act*.

R.S.C. 1952,
c. 148R.S.O. 1980,
c. 475Grants to
eligible
employees

12.—(1) An eligible employee may make an application in the prescribed form for a grant and, subject to section 11 and this section, the Minister may pay a grant equal to the lesser of,

- (a) \$300; and
- (b) 15 per cent of the cost to the eligible employee of employee shares purchased by the eligible employee from the eligible corporation in the calendar year.

Time of
application

(2) No grant shall be paid under subsection (1) unless application therefor is received by the Minister within three years of the date of issue of the employee shares.

Material to
accompany
application

(3) An application under subsection (1) shall be accompanied by,

- (a) an investment confirmation certificate in the prescribed form signed by the secretary and one other authorized signing officer of the eligible corporation that issued the employee shares in respect of which an application for a grant is being made; and
- (b) any additional prescribed material.

(4) Where an applicant for a grant under subsection (1) has previously held and disposed of,

Calculation of cost where shares previously held disposed of, etc.

- (a) common shares of the eligible corporation within six months prior to the purchase of the employee shares from the eligible corporation; or
- (b) employee shares of the eligible corporation with respect to which a grant was paid under this Act which has not been repaid under subsection 15 (1),

the cost to the applicant of the employee shares for the purposes of clause (1) (b) shall be deemed to be the amount by which the cost of the employee shares determined without reference to this subsection exceeds the aggregate of the net proceeds of disposition received or receivable by the applicant on the disposition of all shares referred to in clause (a) or (b).

13.—(1) An eligible corporation may make an application to the Minister for a grant and the Minister may pay to the corporation a grant equal to the lesser of,

Grants to eligible corporations

- (a) \$10,000; and
- (b) one-third of the outlays and expenses as prescribed incurred by the eligible corporation to establish an employee share ownership plan.

(2) No grant shall be paid under subsection (1) unless application therefor is made within one year of the date of issue to the corporation of the certificate of eligibility under subsection 7 (1).

Time of application

(3) Where the Minister has made a grant under subsection (1), no further applications may be made by the eligible corporation under this section.

One grant only

14.—(1) An employee group may make an application to the Minister for a grant and the Minister may pay to the employee group a grant equal to the lesser of,

Grants to employee groups

- (a) \$5,000; and
- (b) one-half of the outlays and expenses as prescribed incurred in advising employees in the negotiation, evaluation and implementation of an employee share ownership plan.

(2) No grant shall be paid under subsection (1) unless application therefor is made within one year of the date of issuance

Time of application

of the certificate of eligibility to the eligible corporation under subsection 7 (1).

One grant only

(3) Where the Minister has made a grant under subsection (1), no further applications may be made by the employee group under this section.

Repayment of grant when shares disposed of

15.—(1) Subject to section 17 and other than in the case of an involuntary disposition prescribed, an eligible employee who disposes of employee shares in respect of which a grant was paid under section 12 within two years from the date of purchase of the employee shares shall repay to the Minister the lesser of,

- (a) an amount equal to the grant paid in respect of those employee shares to such eligible employee; and
- (b) the amount determined by the prescribed formula.

Amounts paid to Treasurer

(2) All amounts payable to the Minister under subsection (1) shall be retained by the administrator from the proceeds of sale of the employee shares and shall be remitted to the Treasurer of Ontario at the time and in the manner prescribed.

Repayment of grants to which not entitled

16.—(1) Subject to section 17, where a person receives or obtains a grant under this Act to which that person was not entitled or receives or obtains the payment of any amount in excess of the amount of grant to which that person was entitled, the amount of the grant or excess payment, as the case may be, shall be deemed to be a debt due to the Crown and shall be paid forthwith by the person to the Minister.

Demand for repayment

(2) Where the Minister determines that any amount is repayable under subsection (1), the Minister shall, when requesting repayment thereof, serve on the person a demand for repayment together with the reasons therefor.

Recovery

(3) Where a person liable to make a payment under subsection (1) fails to make the payment to the Minister, the amount of the debt may be recovered in any court of competent jurisdiction in proceedings commenced by the Minister at any time.

Acceptance of lesser amount

(4) Notwithstanding subsection (1), if owing to special circumstances it is deemed inequitable to demand the whole amount due under this section, the Minister may accept such lesser amount as he or she considers proper.

Notice of proposal by Minister

17.—(1) Where the Minister proposes,

- (a) to refuse to certify an employee group under subsection 4 (4);
- (b) to refuse to register an employee share ownership plan under subsection 7 (1);
- (c) to vary or reject an amendment under subsection 8 (2);
- (d) to revoke registration under section 10;
- (e) to refuse to make a grant under subsection 12 (1), 13 (1) or 14 (1); or
- (f) to require repayment under subsection 15 (1),

the Minister shall serve notice of the proposal, together with written reasons therefor, on the applicant, registrant, corporation, employee group, eligible employee or other person, as the case may be.

(2) If the Minister fails to register the employee share ownership plan of a corporation under section 7 within six months of application therefor under subsection 5 (1), the Minister shall be deemed to have refused to register the employee share ownership plan for the purposes of clause (1) (b).

Deemed
refusal of
registration

(3) Where a person objects to a proposal under subsection (1) or a demand for repayment under subsection 16 (2) that is served on that person, the person may, within sixty days from the day of mailing of the proposal or demand or from the date upon which the Minister has been deemed to have refused registration under subsection (2), serve on the Minister a notice of objection in the prescribed form setting out the reason for the objection and all relevant facts.

Notice of
objection

(4) A notice of objection under this section shall be served by being sent by registered mail addressed to the Minister, but the Minister may accept a notice of objection that was not served in the manner required.

Service of
notice

(5) Where no notice is served under subsection (4), the Minister may proceed to carry out the proposal under subsection (1) or recover the debt stated in the demand under subsection 16 (2).

Where no
notice served

(6) Upon receipt of the notice of objection, the Minister shall forthwith reconsider the proposal or demand and may confirm, vary or abandon such proposal or demand, and the

Reconsider-
ation by
Minister

Minister shall thereupon notify the person making the objection of such action by registered mail.

Where no
appeal

(7) A decision of the Minister under subsection (6) is final and is not subject to appeal except where the decision involves the interpretation of a provision of this Act, or involves an issue solely of law.

Surrender of
certificate of
eligibility

(8) Where no notice was served under subsection (4) or where the Minister's proposal was confirmed under subsection (6), subject to section 18, the eligible corporation shall surrender the certificate of eligibility issued to it under subsection 7 (1).

Application
to judge
where facts
undisputed

18. In any dispute over a decision or action of the Minister under subsection 17 (6), the Minister may, where the dispute involves the interpretation of a provision of this Act, or involves an issue solely of law in which no facts are in dispute, or involves the proper inference to be drawn from facts that are not in dispute, agree in writing with the disputing party as to the undisputed facts and thereafter apply to a judge of the Supreme Court to have the issue in dispute determined and, if the Minister does not make the application within six weeks of the date upon which the undisputed facts have been agreed upon in writing, the other party to the dispute may apply to the court to have the issue determined.

Communi-
cation of
information

19.—(1) Except as provided in subsection (2), no person employed in the Government of Ontario shall,

- (a) knowingly communicate or allow to be communicated to any person any information obtained by or on behalf of the Minister for the purposes of this Act; or
- (b) knowingly allow any person to inspect or to have access to any book, record, writing, return or other document obtained by or on behalf of the Minister for the purposes of this Act.

Exception

(2) Notwithstanding anything in this Act, the Minister may permit information or a copy of any book, record, writing, return or other document obtained by the Minister or on his or her behalf for the purposes of this Act to be given to,

- (a) any official or authorized person employed by the Government of Ontario in the administration and enforcement of this Act;

- (b) the Minister of National Revenue of the Government of Canada or any official or employee employed under that Minister;
- (c) the Treasurer of Ontario and the Minister of Industry, Trade and Technology of the Government of Ontario and any official or employee employed under the Treasurer or Minister; or
- (d) the Ontario Securities Commission or any official employed by the Commission.

20.—(1) Every eligible corporation, administrator and employee group under this Act shall keep such records as may be prescribed by the Minister at its permanent establishment in Ontario, as defined in the *Corporations Tax Act*, or place of business in Ontario, as the case may be, or at such other place of business as is designated by the Minister, in the form and containing such information as will enable the Minister to determine that this Act and the regulations have been complied with.

Records

R.S.O. 1980,
c. 97

(2) Where an eligible corporation, administrator or employee group has failed to keep adequate records for the purposes of this Act, the Minister may require the eligible corporation, administrator or employee group to keep such records as may be so required.

Idem

(3) Every eligible corporation, administrator or employee group required by this section to keep records shall, until permission for their disposal is given by the Minister, retain every such record and every account or voucher necessary to verify the information in any such record.

Retention of
records

21.—(1) Any person thereunto authorized by the Minister for any purpose relating to the administration or enforcement of this Act may at all reasonable times enter into any premises or place where any business is carried on or any property is kept or anything is done in connection with any business or records are or should be kept pursuant to this Act, and,

Investigations

- (a) audit or examine the books and records and any account, voucher, letter, telegram or other document that relates or may relate to the information that is or should be in the books or records or to the amount of any grant paid or payable under this Act;
- (b) examine any property, process or matter an examination of which may, in his or her opinion, assist

such person in determining the accuracy of any application required by this Act or in ascertaining the information that is or should be in the books and records or in such application, or the amount of any grant paid or payable under this Act; and

- (c) require any person on the premises to give him or her all reasonable assistance with the audit or examination and to answer all questions relating to the audit or examination either orally or, if so required, in writing, on oath or statutory declaration and, for that purpose, require such person to attend at the premises or place with him or her.

Information

(2) The Minister may, for any purpose relating to the administration and enforcement of this Act, by registered letter or by a demand served personally, require from any eligible corporation or from the president, manager, secretary or any director, agent or representative thereof, or from any other person,

- (a) any information or additional information or a return under section 9 or other return required by the regulations; or
- (b) production, or production on oath, of books, letters, accounts, invoices, statements, financial or otherwise, or other documents,

within such reasonable time as is stipulated therein.

Idem

(3) The Minister may, by registered letter or a demand served personally, require the production, under oath or otherwise, by any person, partnership, syndicate, trust or corporation, or by any agent or officer thereof, of any letters, accounts, invoices, statements, financial or otherwise, books or other documents in the possession or in the control of such person, partnership, syndicate, trust or corporation, or of any agent or officer thereof, for the purpose of determining eligibility or possible eligibility for a grant under this Act, and production thereof shall be made within such reasonable time as is stipulated in such registered letter or demand.

Copies

(4) Where a book, record or other document has been examined or produced under this section, the person by whom it is examined or to whom it is produced or any officer of the Ministry of Revenue may make, or cause to be made, one or more copies thereof and a document purporting to be certified by the Minister or by a person thereunto authorized by the Minister to be a copy made pursuant to this section is admissi-

ble in evidence and has the same probative force as the original document would have had had it been proven in the ordinary way.

(5) No person shall hinder, molest or interfere with any person doing anything that he or she is authorized by this section to do or prevent or attempt to prevent any person doing any such thing and, notwithstanding any other law to the contrary, every person shall, unless he or she is unable to do so, do everything he or she is required by this section to do. Compliance

(6) Any officer or employee of the Ministry of Revenue who is authorized by the Minister may administer oaths and take or receive affidavits, declarations and affirmations for the purpose of or incidental to the administration or enforcement of this Act, and every person so authorized has, in respect of any such oath, affidavit, declaration or affirmation, all the powers of a commissioner for taking affidavits. Administration of oaths

22.—(1) Every person who fails to deliver a return or report as and when required by this Act or the regulations is guilty of an offence and, in addition to any other penalty otherwise provided, on conviction is liable to a fine of not less than \$50 for each day during which the default continues. Offences

(2) Every person who fails to comply with or contravenes section 20 or 21 is guilty of an offence and, in addition to any penalty otherwise provided, on conviction is liable to a fine of \$50 for each day during which the default continues. Idem

23. Where a corporation is guilty of an offence under this Act, any officer, director or agent of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is a party to and guilty of the offence and on conviction is liable to the punishment provided for the offence whether or not the corporation has been prosecuted or convicted. Officers, etc., of corporations

24.—(1) Every person who, Offences

(a) made, or participated in, assented to or acquiesced in the making of, false or deceptive statements in a return, certificate, statement or answer filed or made as required by or under this Act or the regulations;

(b) knowingly failed to disclose any information that is required to be disclosed and by reason thereof obtained the payment of a grant under this Act to which he or she was not entitled or to which the

person on whose behalf he or she was acting was not entitled;

- (c) made, or assented to or acquiesced in the making of, false or deceptive entries, or omitted, or assented to or acquiesced in the omission, to enter a material particular, in records required to be maintained under this Act;
- (d) knowingly converted to his or her own use a payment of a grant under this Act to which he or she was not entitled; or
- (e) conspires with any person to commit an offence described in clauses (a) to (d),

is guilty of an offence and on conviction is liable to a fine of not more than \$2,000 or if such person is a corporation to a fine of not more than \$20,000.

Exception

(2) No person is guilty of an offence under subsection (1) if he or she did not know that the statement was false or misleading and in the exercise of due diligence could not have known that the statement was false or misleading.

Limitation

25. Proceedings in respect of an offence against this Act may be commenced not later than six years after the time the subject-matter of the proceedings arose.

Regulations:
by
Lieutenant
Governor in
Council

26.—(1) The Lieutenant Governor in Council may make regulations,

- (a) authorizing or requiring the Deputy Minister or any other officer of the Ministry of Revenue to exercise any power or perform any duty conferred or imposed upon the Minister by this Act or the regulations;
- (b) prescribing additional terms and conditions to be included in an employee share purchase agreement and an escrow agreement;
- (c) prescribing any amount that is greater or lesser than the amount set out in clause 3 (1) (c) or 10 (a);
- (d) providing for the forwarding of draft agreements and other materials to the Minister under subsection 4 (1);

- (e) prescribing additional material to be included in an application under sections 5 and 12;
 - (f) providing for the annual filing of a return by an administrator;
 - (g) prescribing the outlays and expenses referred to in clauses 13 (1) (b) and 14 (1) (b);
 - (h) prescribing the circumstances or situations of involuntary dispositions in which an eligible employee will not be required to repay a grant made under section 12 for the purposes of subsection 15 (1);
 - (i) prescribing the time and manner of the remitting of amounts withheld by an administrator under subsection 15 (2);
 - (j) prescribing the formula to be used in determining the amount of any repayment under clause 15 (1) (b), in lieu of the amount of the repayment referred to in clause 15 (1) (a);
 - (k) defining any word or expression in this Act or the regulations that has not already been expressly defined herein;
 - (l) providing for the payment of interest on any amount repayable under subsection 15 (1).
- (2) The Minister may make regulations, by Minister
- (a) prescribing any form, return or statement to be made under this Act or the regulations or that, in the Minister's opinion, will assist in the administration of this Act, and prescribing how and by whom any form, return or statement shall be completed and what information it shall contain;
 - (b) prescribing, defining or determining anything the Minister is permitted or required by this Act to prescribe, define or determine;
 - (c) prescribing for the purposes of this Act and the regulations the records to be maintained by an eligible corporation, an administrator or an eligible group.
- (3) A regulation is, if it so provides, effective with reference to a period before it was filed. may be retroactive

Review

27.—(1) In the fifth year after commencement of this Act, the incentive program established by this Act shall be referred to a Standing Committee of the Legislative Assembly.

Purpose

(2) The Standing Committee shall review the incentive program established by this Act to assess the effectiveness of the incentive program in achieving program objectives.

Report

(3) The Standing Committee shall report its findings to the Legislative Assembly and shall make a recommendation as to whether this Act should be continued unchanged, be amended or be repealed.

Commence-
ment

28. This Act shall be deemed to have come into force on the 1st day of January, 1988.

Short title

29. The short title of this Act is the *Employee Share Ownership Plan Act, 1988*.

CHAPTER 4

An Act to amend the Ministry of Revenue Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of the *Ministry of Revenue Act*, being chapter 287 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

4.—(1) The Minister is responsible for the administration of this Act, the Acts set out in the Schedule and the Acts that are assigned to the Minister by the Legislature or by the Lieutenant Governor in Council.

Adminis-
tration of
Acts

(2) The Lieutenant Governor in Council may by order amend the Schedule.

Amendments
to Schedule

2. The said Act is amended by adding thereto the following sections:

6a.—(1) Where, under this or any other Act, a power is granted to or vested in or a duty is imposed upon the Minister, the Minister may delegate in writing that power or the obligation to perform that duty to the Deputy Minister or to any officer or employee of the Ministry, subject to the conditions set out in the delegation.

Delegation of
powers and
duties

(2) Notwithstanding section 6 of the *Executive Council Act*, a deed or contract signed by a person empowered to do so under a delegation made under subsection (1) has the same effect as if signed by the Minister.

Deeds and
contracts
R.S.O. 1980,
c. 147

6b.—(1) No action or other proceeding for damages shall be instituted against the Deputy Minister, any officer or employee of the Ministry or anyone acting under the authority of the Minister or the Deputy Minister for any act done in good faith in the execution or intended execution of the person's duty or for any alleged neglect or default in the execution in good faith of the person's duty.

Protection
from
personal
liability

Crown
liability
R.S.O. 1980,
c. 393

(2) Notwithstanding subsections 5 (2) and (4) of the *Proceedings Against the Crown Act*, subsection (1) does not relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which it would otherwise be subject.

3. Subsection 7 (2) of the said Act is amended by striking out “mechanical” in the second line.

4. The said Act is further amended by adding thereto the following section:

Facsimile
signature

7a.—(1) The Minister or Deputy Minister may authorize the use of a facsimile of his or her signature on any document except an affidavit or statutory declaration.

Idem

(2) A facsimile of the signature of the Minister or the Deputy Minister affixed to a document under an authorization made under subsection (1) shall be deemed to be the signature of the Minister or the Deputy Minister, as the case may be.

5.—(1) Clause 8 (1) (b) of the said Act is amended by inserting after “tax” where it appears the second time in the first line “interest”.

(2) Subsection 8 (5) of the said Act is repealed and the following substituted therefor:

Conditional
remission

(5) Where a remission is granted under this section subject to a condition and the condition is not performed, the tax, fee or penalty remitted or to be remitted may be collected or all proceedings may be had as if there had been no remission.

6. The said Act is further amended by adding thereto the following section:

Definition

8a.—(1) In this section, “recoverable grant” means any grant, amount in excess of any grant, increment, amount in excess of any increment, monthly benefit, amount in excess of any monthly benefit, tax credit and interest that is required to be paid or repaid by the recipient to Her Majesty under any of the Acts administered by the Minister.

Remission of
recoverable
grant

(2) Notwithstanding any other Act, the Lieutenant Governor in Council, on the recommendation of the Minister, may, if he or she considers it in the public interest, remit any recoverable grant.

(3) A remission under this section may be total or partial, conditional or unconditional, and may be granted, Remission may be partial, etc.

- (a) before, after or pending any suit or proceeding for the recovery of the recoverable grant in respect of which it is granted;
- (b) before or after any payment or repayment thereof has been made or enforced by process or execution; or
- (c) in any particular case or class of case, before the liability for repayment of the recoverable grant arises.

(4) A remission under this section may be granted, Form of remission

- (a) by forbearing to institute a suit or proceeding for recovery of the recoverable grant;
- (b) by delaying, staying or discontinuing any suit or proceeding already instituted;
- (c) by forbearing to enforce, staying or abandoning any execution or process upon any judgment;
- (d) by the entry of satisfaction upon any judgment; or
- (e) by repaying any sum of money paid to or recovered by the Minister in satisfaction of the recoverable grant.

(5) Where a remission is granted under this section subject to a condition and the condition is not performed, the recoverable grant may be recovered or all proceedings may be had as if there had been no remission. Conditional remission

(6) A conditional remission, upon the performance of the condition, and an unconditional remission have effect as if the remission was made after the recoverable grant in respect of which it was granted had been sued for and recovered. Effect of conditional remission

(7) Remissions granted under this or any other Act may be paid out of the Consolidated Revenue Fund. Payment

(8) A statement of each remission of \$1,000 or more granted under this section shall be reported to the Legislature in the public accounts. Report

7. The said Act is further amended by adding thereto the following section:

Reciprocal
provision of
information

11. Notwithstanding any other Act, the Minister may communicate or allow to be communicated information obtained under an Act that he or she administers to a person employed by any government, or may allow such a person to inspect written statements made under any such Act if,

- (a) the government who employs the person agrees to provide similar information and written statements to the Minister on a reciprocal basis; and
- (b) the information and written statements will not be used by that government for any purpose other than the administration or enforcement of a law that imposes a tax or confers a benefit.

8. The said Act is further amended by adding thereto the following Schedule:

SCHEDULE

Agricultural Development Finance Act

Assessment Act

Corporations Tax Act

Fuel Tax Act, 1981

Gasoline Tax Act

Income Tax Act

Land Transfer Tax Act

Mining Tax Act

Motor Vehicle Fuel Tax Act

Ontario Guaranteed Annual Income Act

Ontario Pensioners Property Tax Assistance Act

Provincial Land Tax Act

Race Tracks Tax Act

Retail Sales Tax Act

Small Business Development Corporations Act

The Succession Duty Act, being chapter 449 of the Revised Statutes of Ontario, 1970, as it continues to apply under *The Succession Duty Repeal Act*, 1979

The Succession Duty Repeal Act, 1979

The Succession Duty Act Supplementary Provisions Act, 1980

Tobacco Tax Act

9. This Act comes into force on the day it receives Royal Commence-
ment Assent.

10. The short title of this Act is the *Ministry of Revenue* Short title
Amendment Act, 1988.

CHAPTER 5

An Act to amend the Travel Industry Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clauses 1 (e), (f) and (h) of the *Travel Industry Act*, being chapter 509 of the Revised Statutes of Ontario, 1980, are repealed and the following substituted therefor:

(e) “travel agent” means a person who sells, to consumers, travel services provided by another person;

.

(h) “travel wholesaler” means a person who acquires rights to a travel service for the purpose of resale to a travel agent or who carries on the business of dealing with travel agents or travel wholesalers for the sale of travel services provided by another person.

2. Section 3 of the said Act is repealed and the following substituted therefor:

3.—(1) No person shall act or hold himself out as being available to act as a travel agent unless he is registered as a travel agent by the Registrar. Acting as
travel agent

(2) No person shall act or hold himself out as being available to act as a travel wholesaler unless he is registered as a travel wholesaler by the Registrar. Acting as
travel
wholesaler

(3) No travel agent shall conduct business from a place at which the public is invited to deal unless it is named as an office in the registration. Offices of
travel agents

(4) Where more than one office is named in the registration, one shall be designated as the main office and the remainder as branch offices. Idem

3. Subsections 4 (3) and (4) of the said Act are repealed and the following substituted therefor:

Integrity

1976-77,
c. 52 (Can.)

(4) Without restricting the generality of clause (1) (b) and subclause (1) (c) (iii), a conviction within the previous five years for theft or for an offence under paragraph 95 (*h*), (*i*), (*j*) or (*m*) of the *Immigration Act, 1976* (Canada) is sufficient grounds for the purpose of those provisions.

4. Sections 12 and 14 of the said Act are repealed and the following substituted therefor:

Notice of
material
changes

12. Every travel agent and travel wholesaler shall, within five days after the event, notify the Registrar in writing of,

- (a) any change in its address for service; and
- (b) any change in the officers in the case of a corporation or of the members in the case of a partnership.

5. Subsection 21 (1) of the said Act is amended by adding thereto the following clauses:

- (aa) to a ministry, department or agency of a government engaged in the administration of legislation similar to this Act;
- (ab) to a law enforcement agency.

6. The said Act is amended by adding thereto the following section:

Appointment
of receiver
and manager

21a.—(1) The Director may when he,

- (a) has ordered or is about to order an investigation under section 20;
- (b) has made or is about to make a directive under section 22;
- (c) has reasonable and probable grounds to believe that a person registered under this Act has failed or is about to fail to provide contracted and paid for travel services to a client;
- (d) is advised that a proposal to suspend or revoke a registration under section 5 or to temporarily suspend a registration under section 7 has been made; or

- (e) is advised that an investigation under section 19 has been ordered,

apply to a judge or a local judge of the Supreme Court for the appointment of a receiver and manager of an involved travel agent or travel wholesaler.

(2) A judge, upon an application being made under subsection (1), without notice or, where the judge considers that notice should be given, upon such notice as the judge stipulates, may, where it is considered in the public interest and subject to the *Bankruptcy Act* (Canada), appoint a receiver and manager to take possession and control of the business of the person in respect of whom an action referred to in subsection (1) applies for a period not exceeding sixty days.

Idem

R.S.C. 1970,
c. B-3

(3) An appointment made under subsection (2) may be extended, upon an application without notice, for an additional period not exceeding sixty days.

Extension

(4) A receiver and manager appointed under subsection (2) shall take possession and control of the assets of the business and shall thereafter conduct the business and take such steps as in his opinion should be taken toward its rehabilitation and, for such purposes, the receiver and manager have all the powers of the board of directors of the corporation, if the business is a corporation, or of a sole proprietor or all partners if the business is not a corporation and, without limiting the generality of the foregoing, the receiver and manager may,

Receiver
and manager
taking
control

- (a) exclude the directors, officers, servants and agents of the business from the premises and property of the business; and
- (b) carry on, manage and conduct the operations of the business and in the name of the business preserve, maintain, realize, dispose of and add to the property of the business, receive the incomes and revenues of the business.

(5) An order made under this section may be enforced in the same manner as any order or judgment of the Supreme Court and may be varied or discharged upon an application made by notice.

Enforcement
of order

(6) Upon an application being made under this section, the rules of practice of the Supreme Court apply.

Rules of
practice

7. Section 22 of the said Act is amended by adding thereto the following subsection:

Application
re disposition

(6) The Director may, where he has given a direction under subsection (1) or a notice under subsection (4), apply to a judge or a local judge of the Supreme Court who may make an order as to the disposition of assets, trust funds or land affected by the direction or notice and as to costs.

8.—(1) Clause 27 (j) of the said Act is repealed.

(2) Section 27 of the said Act is amended by adding thereto the following clauses:

- (o) providing for the establishment, maintenance and administration of a compensation fund in trust by travel agents and travel wholesalers and prescribing the form and terms of the trust;
- (p) providing for the payment of levies into the compensation fund by travel agents and travel wholesalers and prescribing the amounts thereof;
- (q) providing for payment out of the compensation fund of claims and procedures to be followed in respect thereto;
- (r) requiring participation in the compensation fund by travel agents and travel wholesalers;
- (s) providing for the borrowing of moneys to supplement the compensation fund.

Commence-
ment

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. The short title of this Act is the *Travel Industry Amendment Act, 1988*.

CHAPTER 6

An Act to amend the Ontario Unconditional Grants Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2b of the *Ontario Unconditional Grants Act*, being chapter 359 of the Revised Statutes of Ontario, 1980, as re-enacted by the Statutes of Ontario, 1984, chapter 23, section 3, is amended by striking out “\$47 per household, or such other” in the first and second lines and inserting in lieu thereof “such”.

2.—(1) Subsection 8 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 9, section 7 and amended by the Statutes of Ontario, 1984, chapter 23, section 7, is further amended by striking out “in respect of” in the second line and inserting in lieu thereof “to”.

(2) Subsection 8 (2) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 9, section 7, is repealed and the following substituted therefor:

(2) In each year there shall be paid a resource equalization grant to each upper tier municipality whose equalized assessment per household in the preceding year as is determined in the prescribed manner is below such standard equalized assessment per household as may be prescribed, and the amount of the grant shall be based, in the manner and subject to such limits as may be prescribed, on the proportion that 60 per cent of such deficiency of equalized assessment per household bears to the prescribed standard equalized assessment per household as applied to the net levy of the upper tier municipality.

Payment of
grants

(3) Subsection 8 (4) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 9, section 7, is repealed.

3.—(1) Subsection 9 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 52, section 1, is repealed.

(2) Subsection 9 (2) of the said Act is repealed.

4. Clause 14 (1) (h) of the said Act is repealed.

Commence-
ment

5. This Act shall be deemed to have come into force on the 1st day of January, 1987.

Short title

6. The short title of this Act is the *Ontario Unconditional Grants Amendment Act, 1988*.

CHAPTER 7

An Act to amend the Employment Standards Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The *Employment Standards Act*, being chapter 137 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following Part:

PART XI-B

RETAIL BUSINESS ESTABLISHMENTS

39e. An employee may refuse any work that is a contravention of subsection 2 (2) of the *Retail Business Holidays Act*.

Right to
refuse work
R.S.O. 1980,
c. 453

39f. Where an employer dismisses an employee who refuses any work that is a contravention of subsection 2 (2) of the *Retail Business Holidays Act*, an employment standards officer may order the employer to reinstate in employment the employee concerned, with or without compensation, or to compensate the employee in lieu of reinstatement for loss of earnings or other employment benefits in an amount not exceeding \$4,000 that may be assessed by the employment standards officer against the employer.

Employment
standards
officer may
make order

2. Subsection 50 (1) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 55, section 3, is further amended by inserting after "39c" in the second line "39f".

3. Subsection 53 (2) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 55, section 4, is further amended by inserting after "39c" in the second line "39f".

4. Subsection 57 (1) of the said Act is amended by adding thereto the following clause:

(ea) has exercised a right to refuse work under section 39e.

Commence-
ment

5. This Act shall be deemed to have come into force on the 2nd day of December, 1987.

Short title

6. The short title of this Act is the *Employment Standards Amendment Act, 1988*.

CHAPTER 8

An Act to amend the Theatres Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 2 (3) and (4) of the *Theatres Act*, being chapter 498 of the Revised Statutes of Ontario, 1980, as enacted by the Statutes of Ontario, 1984, chapter 56, section 2, are repealed.

2. Subsections 3 (1) and (2) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 56, section 3, are repealed and the following substituted therefor:

(1) The board known as the Ontario Film Review Board is continued and shall consist of a chairperson of the Board and such other persons as the Lieutenant Governor in Council may appoint. Board

(2) The Lieutenant Governor in Council may designate one member of the Board as chairperson and one or more members of the Board as a vice-chairperson. Chairperson, vice-chairperson

(2a) The chairperson of the Board shall provide the Minister with an annual report on the activities of the Board. Annual report

(2b) Upon receiving a report under subsection (2a), the Minister shall forthwith lay the report before the Assembly if it is in session or, if not, at the next session. Idem

3. This Act comes into force on the day it receives Royal Assent. Commencement

4. The short title of this Act is the *Theatres Amendment Act*, 1988. Short title

CHAPTER 9

An Act to amend the Upholstered and Stuffed Articles Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause 1 (1) (b) of the *Upholstered and Stuffed Articles Act*, being chapter 517 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

(b) “Director” means the Director of the Upholstered and Stuffed Articles Branch.

(2) Clause 1 (1) (j) of the said Act is repealed.

2. Section 3 of the said Act is repealed and the following substituted therefor:

3. There shall be a Director of the Upholstered and Stuffed Articles Branch who shall be appointed by the Lieutenant Governor in Council to exercise the powers and perform the duties conferred or imposed on the Director under this Act. Director

3.—(1) Subsection 26 (1) of the said Act is amended by striking out “\$500” in the tenth line and inserting in lieu thereof “\$2,000” and by striking out “\$2,000” in the eleventh line and inserting in lieu thereof “\$10,000”.

(2) Subsection 26 (2) of the said Act is amended by striking out “\$500” in the fourth line and inserting in lieu thereof “\$2,000”.

4. Section 27 of the said Act is amended by striking out “\$250” in the fifth line and inserting in lieu thereof “\$1,000”.

5. The said Act and the regulations thereunder are amended by striking out “Registrar” wherever it occurs and inserting in lieu thereof in each instance “Director”.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. The short title of this Act is the *Upholstered and Stuffed Articles Amendment Act, 1988*.

CHAPTER 10

An Act to amend the Operating Engineers Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 2 of subsection 15 (1) of the *Operating Engineers Act*, being chapter 363 of the Revised Statutes of Ontario, 1980, is repealed.

2. Section 23 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 42, section 12, is repealed and the following substituted therefor:

23.—(1) The chief officer shall, upon payment of the fee prescribed by the regulations, issue a certificate of qualification to every person who applies therefor and holds a subsisting certificate issued by another province or territory of Canada that qualifies the person to perform the work or duties of an operating engineer or operator in such province or territory.

Certificate of
qualifications

(2) The certificate of qualification issued under subsection (1) shall be of a class that authorizes the holder of the certificate to perform the work and duties that, in the opinion of the chief officer, the holder is qualified to perform in Ontario having regard to the qualifications prescribed by the regulations for applicants for certificates of qualification.

Idem

3.—(1) Clause 37 (b) of the said Act is amended by striking out “and provisional certificates of qualification” in the second and third lines.

(2) Clause 37 (f) of the said Act is repealed and the following substituted therefor:

- (f) providing for the issue, renewal and reinstatement of certificates of qualification.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Operating Engineers Amendment Act, 1988*.

CHAPTER 11

**An Act to amend the
Ministry of Colleges and Universities Act**

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 8 (1) of the *Ministry of Colleges and Universities Act*, being chapter 272 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1987, chapter 33, section 228, is further amended by striking out “in Ontario” in the eighth line.

2. This Act shall be deemed to have come into force on the 1st day of September, 1987. Commence-
ment

3. The short title of this Act is the *Ministry of Colleges and Universities Amendment Act, 1988*. Short title

CHAPTER 12

**An Act to amend the
Municipality of Metropolitan Toronto Act***Assented to January 7th, 1988*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clauses 177 (1) (b) and (c) of the *Municipality of Metropolitan Toronto Act*, being chapter 314 of the Revised Statutes of Ontario, 1980, as re-enacted by the Statutes of Ontario, 1983, chapter 56, section 10, are repealed and the following substituted therefor:

- (b) two members of the Metropolitan Council appointed by the Metropolitan Council; and
- (c) four persons appointed by the Lieutenant Governor in Council.

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. The short title of this Act is the *Municipality of Metropolitan Toronto Amendment Act, 1988*. Short title

CHAPTER 13

An Act to amend certain Acts administered by the Ministry of Agriculture and Food

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of the *Ministry of Agriculture and Food Act*, being chapter 270 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following clause:

(c) “person” includes an unincorporated association.

(2) Clause 4b (1) (b) of the said Act, as enacted by the Statutes of Ontario, 1982, chapter 54, section 1, is repealed and the following substituted therefor:

(b) a field-man appointed under the *Milk Act* or a member, officer, clerk or employee of the Agricultural Licensing and Registration Review Board, the Farm Products Appeal Tribunal or the Ontario Farm Products Marketing Commission,

R.S.O. 1980,
c. 266

(3) Subsection 5 (2) of the said Act is amended by adding at the end thereof “and the conditions under which grants are repayable”.

(4) Section 5 of the said Act is amended by adding thereto the following subsections:

(4) A program may provide that a grant or payment shall not be assigned, charged, attached or given as security and that any transaction purporting to do so is void.

Grants not to
be given as
security

(5) A program may provide that it is to come into force before the date on which it is established.

Program may
be retroactive

(5) The said Act is amended by adding thereto the following sections:

Ontario Farm
Products
Marketing
Commission

9a.—(1) A commission to be known as the “Ontario Farm Products Marketing Commission” is hereby established as a body corporate and shall consist of not fewer than three persons appointed by the Lieutenant Governor in Council.

Chairman

(2) The Lieutenant Governor in Council shall appoint one of the members as chairman and one or more of the members as vice-chairman.

Quorum

(3) Three members of the Commission, of whom one shall be the chairman or a vice-chairman, constitute a quorum and are sufficient for the exercise of all jurisdiction and powers of the Commission.

Division of
the
Commission

(4) The chairman, or in the case of the absence or inability of the chairman to act, a vice-chairman, may assign members of the Commission to divisions thereof and may change the assignment at any time.

Quorum
necessary in
division

(5) The Commission may sit in two or more divisions simultaneously so long as a quorum of the Commission is present in each division.

Remuner-
ation

(6) Members of the Commission who are not employed in the public service of Ontario shall receive such remuneration and expenses as the Lieutenant Governor in Council determines.

Non-
application
of
R.S.O. 1980,
c. 98, 99

(7) The *Corporations Act* and the *Corporations Information Act* do not apply to the Commission.

Appointment
of officers
and
employees
R.S.O. 1980,
c. 418

(8) A secretary to the Commission and such other officers and employees as may be required may be appointed or transferred under the *Public Service Act*.

Where
secretary
absent

(9) Where the secretary is absent or the position is vacant, the Commission may appoint any person to act in that capacity.

Appointment
of specialists,
etc.

(10) The Commission may appoint conciliators or arbitrators or persons having technical or special knowledge to assist the Commission in any capacity.

Dissolution
of Milk
Commission
and Farm
Products
Marketing
Board
R.S.O. 1980,
cc. 266, 158

9b. The Milk Commission of Ontario, constituted as a body corporate under the *Milk Act* and The Farm Products

Marketing Board, constituted as a body corporate under the *Farm Products Marketing Act*, are hereby dissolved and all the real and personal property, including all the rights and privileges, of The Milk Commission of Ontario and of The Farm Products Marketing Board are vested in the Ontario Farm Products Marketing Commission and all obligations, liabilities and responsibilities of The Milk Commission of Ontario and of The Farm Products Marketing Board become obligations, liabilities and responsibilities of the Commission.

9c. All acts, appointments, directions, decisions, orders, delegations, regulations, awards, agreements, rules, resolutions, determinations, minutes and licences heretofore done, made, issued or entered into by The Milk Commission of Ontario and The Farm Products Marketing Board respectively shall be deemed to have been done, made, issued or entered into by the Ontario Farm Products Marketing Commission and shall continue good and valid and remain in full force and effect until amended, cancelled, withdrawn, suspended, revoked or annulled and others done, made, issued or entered into in their stead.

Previous acts, appointments, directions, orders, etc., continue valid

9d. A reference in any Act, regulation, by-law, contract, agreement, licence, order, decision, award or other document or thing to The Milk Commission of Ontario or The Farm Products Marketing Board shall be deemed to be a reference to the Ontario Farm Products Marketing Commission.

References to Milk Commission and Farm Products Marketing Board

(6) Section 11 of the said Act is amended by adding thereto the following subsection:

(11) Documents of the Tribunal may be signed by the chairman or any person designated in writing by the chairman.

Documents

(7) Clauses 12 (a) and (b) of the said Act are repealed and the following substituted therefor:

(a) "Commission" means the Ontario Farm Products Marketing Commission.

(8) Clause 12 (c) of the said Act is amended by adding at the end thereof "or the *Farm Products Marketing Act*".

(9) Subsections 13 (1), (2) and (4) of the said Act are repealed and the following substituted therefor:

(1) Subject to subsection (4), if a person is aggrieved by an order, direction, policy or decision of the Commission or Director, made under the *Farm Products Marketing Act* or the *Milk Act*, that person may appeal to the Tribunal by filing

Appeal to Tribunal

R.S.O. 1980, cc. 158, 266

with the Tribunal and sending to the Commission or Director written notice of the appeal.

Idem

R.S.O. 1980,
c. 288, 268

(2) Subject to subsections (4) and (5), if a person is aggrieved by an order, direction, policy, decision or regulation made under the *Farm Products Marketing Act* by a local board or under the *Milk Act* by a marketing board, that person may appeal to the Tribunal by filing with the Tribunal and sending to the local board or marketing board written notice of the appeal.

Tribunal may
refuse to
hear appeal

(4) The Tribunal may refuse to hear the appeal or, after a hearing has commenced, refuse to continue the hearing or make a decision if it relates to any order, direction, policy, decision or regulation of which the appellant has had knowledge for more than one year before the notice is filed under subsection (1) or (2) or, if in its opinion,

- (a) the subject-matter of the appeal is trivial;
- (b) the appeal is frivolous or vexatious or is not made in good faith; or
- (c) the appellant has not a sufficient interest in the subject-matter of the appeal.

(10) Subsection 13 (5) of the said Act is repealed and the following substituted therefor:

Conditions
for appeal

(5) No appeal may be taken from an order, direction, policy, decision or regulation of a local board or a marketing board unless,

- (a) the appellant has first applied to the local board or marketing board for a hearing and the local board or marketing board has refused to grant, in whole or in part, the relief requested by the appellant or has not decided the matter within sixty days of the application for a hearing; or
- (b) the appellant and the local board or marketing board have waived their respective rights under clause (a) in writing.

(11) Section 13 of the said Act is amended by adding thereto the following subsection:

Effect of
appeal
R.S.O. 1980,
c. 484

(5a) Where, by virtue of subsection 25 (1) of the *Statutory*

Powers Procedure Act, an appeal under subsection (1) or (2) operates as a stay in the matter, the Tribunal may limit or define the scope of the stay.

(12) Subsection 13 (6) of the said Act is amended by striking out “the Board” in the second line.

(13) Subsections 13 (7), (8) and (9) of the said Act are repealed and the following substituted therefor:

(7) In an appeal under subsection (1) or (2), the Tribunal shall, within ten days after the notice referred to in subsection (1) or (2) is received, send notice to the person making the appeal and upon any body entitled to receive notice under subsection (6) or the Director, as the case may be, of the date, time and place at which the appeal will be heard.

Notice of
hearing

(8) The Tribunal shall complete the hearing within forty-five days after the date set for the hearing, but the Tribunal may, at the request of any party to the proceedings, adjourn the hearing for such periods of time as the Tribunal considers just.

Hearing of
appeal

(9) At any hearing under this section, any person entitled to receive notice under subsection (7) and any person having a sufficient interest in the subject-matter of the appeal may be a party to the appeal and the *Statutory Powers Procedure Act* applies.

Parties

R.S.O. 1980,
c. 484

(14) Subsection 13 (10) of the said Act is amended by striking out “the Board” in the second line and in the seventh line.

(15) Subsection 13 (11) of the said Act is repealed and the following substituted therefor:

(11) The Tribunal shall, within twenty days after the hearing is completed, send notice of its decision and reasons, if any, to all parties to the appeal and to the Minister.

Notice of
decision

(16) Subsections 13 (13) and (14) of the said Act are repealed and the following substituted therefor:

(13) Notice under this section may be given by mail to the usual business address of the person or, in the case of the person making an appeal, to the address shown in the notice of appeal.

Notice by
mail

(14) After the Tribunal has decided an appeal under this section, the Tribunal may, on its own motion or upon the request of any person who is aggrieved by the decision,

Tribunal may
reopen
hearing

reopen the hearing and make a new decision, and the procedure for an appeal under this section applies to the hearing.

(17) Subsection 14 (1) of the said Act is repealed and the following substituted therefor:

Request for
reconsideration

(1) Where a person is aggrieved by an order, direction, policy or decision of the Commission, a local board, a marketing board or the Director, that person may, by written application therefor, request a reconsideration of the order, direction, policy or decision.

(18) Subsection 14 (4) of the said Act is repealed and the following substituted therefor:

Idem

(4) Where a person is affected by any regulation made by the Commission, that person may request the Commission to reconsider the regulation by serving upon the Commission written notice of the request.

(19) Subsection 15 (1) of the said Act is repealed and the following substituted therefor:

Powers of
Minister

(1) Within thirty days after receipt by the Minister of a decision of the Tribunal under this Act and the reasons therefor, if any, or within such longer period as may be determined by the Minister within such thirty-day period, the Minister may,

- (a) confirm, vary or rescind the whole or any part of the decision;
- (b) substitute for the decision of the Tribunal such decision as the Minister considers appropriate; or
- (c) by notice to the Tribunal require the Tribunal to hold a new hearing of the whole or any part of the matter appealed to the Tribunal and reconsider its decision.

(20) Subsection 15 (2) of the said Act is amended by inserting after “varied” in the third line “or rescinded”.

(21) Subsection 15 (3) of the said Act is amended by striking out “varied” in the first line and inserting in lieu thereof “confirmed, varied or rescinded”.

(22) Subsection 15 (4) of the said Act is amended by inserting after “variation” in the second line “rescission”.

2.—(1) Clause 1 (a) of the *Farm Products Marketing Act*, being chapter 158 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

- (a) “Commission” means the Ontario Farm Products Marketing Commission under the *Ministry of Agriculture and Food Act*. R.S.O. 1980,
c. 270

(2) The said Act is amended by striking out “Board” wherever it occurs as a reference to “The Farm Products Marketing Board” and inserting in lieu thereof in each instance “Commission”.

(3) Section 1 of the said Act is amended by adding thereto the following clause:

- (aa) “Director” means the Director appointed under this Act.

(4) Clause 1 (b) of the said Act is amended by striking out “such articles” in the fifth line and inserting in lieu thereof “articles”.

(5) Clause 1 (c) of the said Act is repealed and the following substituted therefor:

- (c) “licence” means a licence provided for under this Act.

(6) Clause 1 (g) of the said Act is amended by striking out “marketing” in the second line and inserting in lieu thereof “producing or marketing or both”.

(7) Section 2 of the said Act is repealed and the following substituted therefor:

2. The purpose of this Act is to provide for the control and regulation in any or all aspects of the producing and marketing within Ontario of farm products including the prohibition of such producing or marketing in whole or in part. Purpose of
Act

(8) Section 3 of the said Act is repealed.

(9) Clause 4 (1) (g) of the said Act is amended by,

- (a) striking out “and” at the end of subclause (i);
- (b) adding “and” at the end of subclause (ii); and
- (c) adding thereto the following subclause:

- (iii) inspect any growing plants or development in the producing of a regulated product.

(10) Clause 4 (1) (h) of the said Act is repealed.

(11) Subsections 4 (5) and (6) of the said Act are repealed and the following substituted therefor:

Local board
a body
corporate
R.S.O. 1980,
cc. 95, 96

(5) Every local board is a body corporate to which the *Corporations Act* and the *Corporations Information Act* do not apply.

Protection
from
personal
liability

(6) No member of a local board and no officer, clerk or employee of a local board is personally liable for anything done or omitted to be done by the board or by the member, officer, clerk or employee in good faith in the exercise of any power or the performance of any duty under or purporting to be under this Act or any other Act of Ontario or Canada.

(12) Subsection 5 (1) of the said Act is amended by inserting after “the” in the fourth line “producing or”.

(13) Clause 6 (1) (a) of the said Act is amended by inserting after “the” in the second line “producing or”.

(14) Clause 6 (1) (b) of the said Act is repealed.

(15) Clause 6 (1) (c) of the said Act is amended by striking out “marketing” in the fourth line and inserting in lieu thereof “producing or marketing”.

(16) Clause 6 (1) (h) of the said Act is amended by striking out “notwithstanding any other Act” in the first line.

(17) Subsection 7 (1) of the said Act is amended by,

- (a) striking out “or (h)” in the third line; and
- (b) inserting after “product” in the seventh line “and growing plants or development in the producing of the regulated product”.

(18) Subsection 7 (2) of the said Act is amended by striking out “or (h)” in the third line.

(19) Subsection 7 (3) of the said Act is amended by striking out “or (h)” in the second and third lines.

(20) Paragraphs 1, 2, 3, 4 and 5 of subsection 8 (1) of the said Act are repealed and the following substituted therefor:

1. providing for the licensing of any or all persons before commencing or continuing to engage in the producing, marketing or processing of a regulated product and delegating to the Director the authority to grant, refuse to grant, renew, suspend and revoke licences;
2. prescribing or providing for classes of licences and the imposition of terms and conditions on any class of licence;
3. providing that the Commission, Director or local board may impose such terms and conditions upon a licence as the Commission, Director or local board considers proper;
4. prohibiting persons from engaging in the producing, marketing or processing of any regulated product except under the authority of a licence and except in compliance with the terms and conditions of the licence;
5. providing for the refusal to grant or renew or the suspension or revocation of a licence,
 - i. where the applicant or licensee is not qualified by experience, financial responsibility or equipment to properly engage in the business for which the application was made or the licence granted, or
 - ii. where the applicant or licensee has failed to comply with or has contravened any provision of this Act, the regulations, any plan or any order or direction of the Commission, Director or local board or of a marketing agency of Canada;
- 5a. providing for the imposition, amount, disposition and use of penalties where, after a hearing, the Commission, Director or local board is of the opinion that the applicant or licensee has failed to comply with or has contravened any term or condition of a licence or any provision of this Act, the regulations, any plan or any order or direction of the Commission, Director or local board;
- 5b. providing for the fixing of licence fees and the payment thereof by any or all persons producing, marketing or processing a regulated product and the

collecting of the licence fees and their recovery by suit in a court of competent jurisdiction.

(21) Paragraphs 10, 11 and 16 of the said subsection 8 (1) are repealed and the following substituted therefor:

10. requiring and providing for the furnishing of security or proof of financial responsibility or of a performance bond by a person or class of persons engaged in the producing, marketing or processing of a regulated product and providing for the administration, forfeiture and disposition of any moneys or securities so furnished and the proceeds therefrom;
11. authorizing the fixing of prompt payment discounts, delayed payment penalties and interest on licence fees and service charges owing by any person engaged in the producing, marketing or processing of a regulated product;
16. providing for the control and regulation of the producing or marketing of any regulated product, including the times and places at which the regulated product may be produced or marketed.

(22) Paragraph 19 of the said subsection 8 (1) is amended by striking out "notwithstanding any other Act" in the first line.

(23) Paragraphs 27 and 33 of the said subsection 8 (1) are repealed and the following substituted therefor:

27. determining the constitution of negotiating agencies, conciliation boards and boards of arbitration, providing for the appointment of arbitrators and conciliators and regulating the practice, procedure and methods of dispute resolution of such agencies, boards and arbitrators;
33. designating as farm products any natural products of agriculture.

(24) Paragraph 34 of the said subsection 8 (1) is amended by inserting after "the" in the third line "producing or".

(25) Paragraph 37 of the said subsection 8 (1) is amended by striking out “established for the control and regulation of the marketing of the regulated product” in the fourth, fifth and sixth lines.

(26) Paragraph 40 of the said subsection 8 (1) is amended by inserting after “agency” in the sixth line “of Canada”.

(27) Section 8 of the said Act is amended by adding thereto the following subsections:

(1a) A penalty imposed on a producer under paragraph 5a of subsection (1) shall not exceed 10 per cent of the price payable to the producer for the regulated product marketed during the immediately preceding twelve month period by the producer and a 20 per cent reduction in the amount of regulated product which may be marketed during any twelve month period by the producer. Limitations
on penalties

(1b) A penalty imposed on a person other than a producer under paragraph 5a of subsection (1) shall not exceed 10 per cent of the price payable to the producers for the regulated product marketed or processed during the immediately preceding twelve month period by the person. Idem

(28) Clause 8 (2) (a) of the said Act is amended by striking out “later” in the eighth line and inserting in lieu thereof “other”.

(29) Subsection 8 (6) of the said Act is amended by striking out “or orders or” in the third line and inserting in lieu thereof “orders, policies and decisions or”.

(30) Subsection 9 (1) of the said Act is amended by inserting before “marketing” in the fourth line “producing or”.

(31) Subclause 9 (1) (a) (i) of the said Act is repealed and the following substituted therefor:

- (i) to direct and control, by order or direction either as principal or agent, the producing or marketing of the regulated product, including the times and places at which the regulated product may be produced or marketed.

(32) Clause 9 (1) (b) of the said Act is amended by,

- (a) striking out “the Commission” in the second and third lines and inserting in lieu thereof “it”; and

- (b) striking out “the Commission” in the third line of subclause (ii) and inserting in lieu thereof “The Ontario Apple Marketing Commission”.

(33) Clause 9 (4) (f) of the said Act is amended by inserting before “marketing” in the first line “producing or”.

(34) Section 10 of the said Act, exclusive of the clauses, is repealed and the following substituted therefor:

Legislation on
powers of
local board

10. Where the Commission delegates to a local board powers or authorizes a local board to exercise powers under this Act or vests in a local board powers under this Act, the Commission may at any time,

(35) The said Act is amended by adding thereto the following section:

Director

11a.—(1) The Minister may appoint a Director for the purposes of this Act.

Duties of
Director

(2) The Director shall exercise the powers and perform the duties conferred or imposed under this or any other Act.

(36) Subsection 13 (1) of the said Act is amended by,

- (a) inserting before “marketing” in the seventh line “producing or”; and
- (b) inserting before “marketing” in the third line of clause (b) “producing or”.

(37) Subsection 13 (2) of the said Act is amended by inserting before “marketing” in the seventh line “producing or”.

(38) Subsection 13 (3) of the said Act is amended by,

- (a) inserting after “the” in the eighth line of clause (a) “producing or”; and
- (b) inserting after “the” in the second line of clause (b) “producing or”.

(39) Section 14 of the said Act is amended by striking out “Board or” in the eighth line and inserting in lieu thereof “Commission, Director or”.

(40) Section 16 of the said Act is repealed and the following substituted therefor:

16. Every person who contravenes this Act or the regulations or any plan or any order or direction of the Commission, the Director or any local board, or any agreement or award or renegotiated agreement or award declared to be in force by the Commission is guilty of an offence and on conviction is liable for a first offence to a fine of not more than \$2,000 for each day that the offence continues and for a subsequent offence to a fine of not more than \$10,000 for each day that the offence continues. Offences

(41) Clause 17 (2) (b) of the said Act is amended by inserting before "marketing" in the second line "producing or".

(42) Clause 21 (2) (a) of the said Act is repealed.

(43) Subsection 21 (5) of the said Act is amended by inserting after "regulations" in the third line "policies".

(44) Subsection 21 (7) of the said Act is repealed.

(45) Clause 22 (2) (a) of the said Act is repealed.

(46) Subsection 22 (5) of the said Act is amended by inserting after "regulations" in the third line "policies".

3.—(1) Paragraph 4 of section 1 of the *Milk Act*, being chapter 266 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

4. "Commission" means the Ontario Farm Products Marketing Commission under the *Ministry of Agriculture and Food Act*. R.S.O. 1980,
c. 270

(2) Paragraph 22 of the said section 1 is amended by striking out "marketing" in the third line and inserting in lieu thereof "producing or marketing or both".

(3) Clause 2 (b) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 18, section 1, is amended by striking out "marketing" in the second line and in the fourth line and inserting in lieu thereof in each instance "producing or marketing".

(4) The heading immediately preceding section 3 of the said Act and section 3, as amended by the Statutes of Ontario, 1984, chapter 25, section 2, are repealed.

(5) Subsection 6 (1) of the said Act is amended by inserting before “marketing” in the fourth line “producing or”.

(6) Clause 7 (1) (a) of the said Act is amended by inserting after “the” in the second line “producing or”.

(7) Clause 7 (1) (f) of the said Act is amended by striking out “notwithstanding any other Act” in the first line.

(8) Subsection 7 (4) of the said Act is repealed and the following substituted therefor:

Marketing
board is
body
corporate
R.S.O. 1980,
cc. 95, 96

(4) Every marketing board is a body corporate to which the *Corporations Act* and the *Corporations Information Act* do not apply.

(9) Subsection 7 (6) of the said Act is repealed and the following substituted therefor:

No personal
liability

(6) No member of a marketing board and no officer, clerk or employee of a marketing board is personally liable for anything done or omitted to be done by the board or by the member, officer, clerk or employee in good faith in the exercise of any power or the performance of any duty under or purporting to be under this Act or any other Act of Ontario or Canada.

(10) Paragraphs 2, 3, 4 and 5 of subsection 8 (1) of the said Act are repealed and the following substituted therefor:

2. prescribing or providing for classes of licences and the imposition of terms and conditions on any class of licence;
3. providing that the Commission or marketing board may impose such terms and conditions upon a licence as the Commission or marketing board considers proper;
4. prohibiting persons from engaging in the producing, marketing or processing of any regulated product except under the authority of a licence and except in compliance with the terms and conditions of the licence;
5. providing for the refusal to grant or renew or the suspension or revocation of a licence,
 - i. where the applicant or licensee is not qualified by experience, financial responsibility or

equipment to properly engage in the business for which the application was made or the licence granted, or

- ii. where the applicant or licensee has failed to comply with or has contravened any provision of this Act, the regulations, any plan or any order or direction of the Commission or marketing board or of a marketing agency of Canada;
- 5a. providing for the imposition, amount, disposition and use of penalties where, after a hearing, the Commission or marketing board is of the opinion that the applicant or licensee has failed to comply with or has contravened any term or condition of a licence or any provision of this Act, the regulations, any plan or any order or direction of the Commission or marketing board;
- 5b. providing for the fixing of licence fees and the payment thereof by any or all persons producing, marketing or processing a regulated product and the collecting of the licence fees and their recovery by suit in a court of competent jurisdiction.

(11) Paragraph 10 of the said subsection 8 (1) is repealed and the following substituted therefor:

- 10. requiring and providing for the furnishing of security or proof of financial responsibility or of a performance bond by a person or class of persons engaged in the producing, marketing or processing of a regulated product and providing for the administration, forfeiture and disposition of any moneys or securities so furnished and the proceeds therefrom;
- 10a. authorizing the fixing of prompt payment discounts, delayed payment penalties and interest on licence fees and service charges owing by any person engaged in the producing, marketing or processing of a regulated product.

(12) Paragraph 13 of the said subsection 8 (1) is repealed and the following substituted therefor:

- 13. providing for the control and regulation of the producing or marketing of any regulated product,

including the times and places at which the regulated product may be produced or marketed.

(13) Paragraph 21 of the said subsection 8 (1) is amended by striking out “notwithstanding any other Act” in the first line.

(14) Paragraph 28 of the said subsection 8 (1) is repealed and the following substituted therefor:

28. determining the constitution of negotiating agencies, conciliation boards and boards of arbitration, providing for the appointment of arbitrators and conciliators and regulating the practice, procedure and methods of dispute resolution of such agencies, boards and arbitrators.

(15) Section 8 of the said Act, as amended by the Statutes of Ontario, 1981, chapter 18, section 2, is further amended by adding thereto the following subsections:

Limitation on penalties

(1a) A penalty imposed on a producer under paragraph 5a of subsection (1) shall not exceed 10 per cent of the price payable to the producer for the regulated product marketed during the immediately preceding twelve month period by the producer and a 20 per cent reduction in the amount of regulated product which may be marketed during any twelve month period by the producer.

Idem:

(1b) A penalty imposed on a person other than a producer under paragraph 5a of subsection (1) shall not exceed 10 per cent of the price payable to the producers for the regulated product marketed or processed during the immediately preceding twelve month period by the person.

(16) Clause 8 (2) (a) of the said Act is amended by striking out “later” in the eighth line and inserting in lieu thereof “other”.

(17) Subsection 8 (7) of the said Act is amended by striking out “or orders” in the fourth line and inserting in lieu thereof “orders, policies and decisions”.

(18) Subsection 8 (9) of the said Act, exclusive of the clauses, is repealed and the following substituted therefor:

Limitations on powers, etc., of marketing boards

(9) Where the Commission delegates to a marketing board powers or authorizes a marketing board to exercise powers under this Act, the Commission may at any time,

(19) Subsection 20 (1) of the said Act is amended by adding thereto the following paragraphs:

- 3a. providing that the Director may impose such terms and conditions upon a licence under paragraphs 1 and 2 as the Director considers proper;
- 3b. providing for the imposition, amount, disposition and use of penalties where, after a hearing, the Director is of the opinion that the applicant or licensee has failed to comply with or has contravened any term or condition of a licence under paragraphs 1 and 2 or any provision of this Act, the regulations, any plan or any order or direction of the Commission.

(20) Paragraphs 4 and 48 of the said subsection 20 (1) are repealed and the following substituted therefor:

- 4. requiring and providing for the furnishing of security or proof of financial responsibility or of a performance bond by a distributor or class of distributors or any person engaged in the operation of a plant or any class of plant;
-
- 48. regulating and prohibiting the addition to or removal from milk, cream or fluid milk products of any substance, and regulating and prohibiting the marketing of milk, cream or fluid milk products to which the substance has been added or from which the substance has been removed.

(21) Section 20 of the said Act, as amended by the Statutes of Ontario, 1981, chapter 56, section 2 and 1984, chapter 25, section 4, is further amended by adding thereto the following subsection:

(1a) A penalty imposed under paragraph 3b of subsection (1) shall not exceed 10 per cent of the price payable to the producers for the regulated product marketed or processed during the immediately preceding twelve month period by the distributor or person engaged in the operation of a plant.

Limitation on penalties

(22) Section 22 of the said Act is repealed and the following substituted therefor:

22. Every person who contravenes this Act or the regulations, or any plan or any order or direction of the Commis-

Offences

sion, the Director or any marketing board, or any agreement or award or renegotiated agreement or award declared to be in force by the Commission, or any by-law under this Act, is guilty of an offence and on conviction is liable for a first offence to a fine of not more than \$2,000 for each day that the offence continues and for a subsequent offence to a fine of not more than \$10,000 for each day that the offence continues.

(23) Clause 24 (2) (b) of the said Act is amended by inserting before "marketing" in the second line "producing or".

Commence-
ment

4. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

5. The short title of this Act is the *Ministry of Agriculture and Food Statute Law Amendment Act, 1988*.

CHAPTER 14

An Act to amend the Legislative Assembly Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 60 (1) and (2) of the *Legislative Assembly Act*, being chapter 235 of the Revised Statutes of Ontario, 1980, as re-enacted by the Statutes of Ontario, 1986, chapter 72, section 1, are repealed and the following substituted therefor:

(1) An indemnity at the rate of \$39,229 per annum shall be paid to every member of the Assembly. Members' indemnities

(2) An allowance for expenses at the rate of \$13,171 shall be paid to every member of the Assembly. Members' allowances.

2. Section 61 of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 72, section 2, is repealed and the following substituted therefor:

61. In addition to the indemnity and allowance for expenses as a member, there shall be paid a Leader's allowance for expenses, Leaders' allowances

- (a) to the Premier, at the rate of \$7,410 per annum;
- (b) to the Leader of the Opposition, at the rate of \$4,941 per annum; and
- (c) to the leader of a party, except the Premier and the Leader of the Opposition, that has a recognized membership of twelve or more persons in the Assembly, at the rate of \$2,470 per annum.

3. Subsection 62 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 72, section 3, is repealed and the following substituted therefor:

Indemnity
of Speaker,
Leader of
Opposition
and leader of
a minority
party

(1) In addition to the indemnity as a member, there shall be paid,

- (a) to the Speaker an indemnity at the rate of \$21,217 per annum;
- (b) to the Leader of the Opposition an indemnity at the rate of \$28,743 per annum; and
- (c) to the leader of a party, except the Premier and the Leader of the Opposition, that has a recognized membership of twelve or more persons in the Assembly, an indemnity at the rate of \$14,432.

4. Subsection 64 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 72, section 4, is repealed and the following substituted therefor:

Chairman
and Deputy
Chairman of
Whole House
and chairmen
of standing
committees
indemnity

(1) In addition to the indemnity as a member, an indemnity shall be paid,

- (a) to the Deputy Speaker and Chairman of the Committees of the Whole House at the rate of \$8,880 per annum;
- (b) to the Deputy Chairman of the Committees of the Whole House at the rate of \$6,168 per annum; and
- (c) to the chairman of each standing committee at the rate of \$4,810 per annum.

5. Subsection 65 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 72, section 5, is repealed and the following substituted therefor:

Whips,
indemnities

(1) In addition to the indemnity as a member, an indemnity shall be paid,

- (a) to the Chief Government Whip, at the rate of \$10,979 per annum;
- (b) to the Deputy Government Whip, at the rate of \$7,524 per annum;
- (c) to each of not more than three Government Whips, at the rate of \$5,427 per annum;
- (d) to the Chief Opposition Whip, at the rate of \$7,524 per annum;

- (e) to each of not more than two Opposition Whips, at the rate of \$5,427 per annum; and
- (f) in the case of each party that has a recognized membership of twelve or more persons in the Assembly, other than the party from which the Government is chosen and the party recognized as the Official Opposition,
 - (i) to the Chief Party Whip of the party, at the rate of \$6,168 per annum, and
 - (ii) to the Party Whip of the party, at the rate of \$4,934 per annum.

6. Subsection 67 (1) of the said Act, as amended by the Statutes of Ontario, 1986, chapter 72, section 6, is further amended by striking out “\$68” as set out in the amendment of 1986 and inserting in lieu thereof “\$71” and by striking out “\$79” as set out in that amendment and inserting in lieu thereof “\$82”.

7. Section 69 of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 72, section 7, is repealed and the following substituted therefor:

69. In addition to the indemnity as a member, an indemnity shall be paid, House
Leaders’
indemnities

- (a) to the Opposition House Leader, at the rate of \$10,979 per annum;
- (b) to the House Leader of a party, other than the party from which the Government is chosen and the party recognized as the Official Opposition, that has a recognized membership of twelve or more persons in the Assembly, at the rate of \$8,264 per annum.

8. This Act shall be deemed to have come into force on the 1st day of April, 1987. Commence-
ment

9. The short title of this Act is the *Legislative Assembly Amendment Act, 1988*. Short title

CHAPTER 15

An Act to amend the Executive Council Act

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 3 (1), (2), (3) and (4) of the *Executive Council Act*, being chapter 147 of the Revised Statutes of Ontario, 1980, as re-enacted by the Statutes of Ontario, 1986, chapter 73, section 1, are repealed and the following substituted therefor:

(1) The annual salary of every minister with portfolio is \$28,743.	Salaries
---	----------

(2) The Premier and President of the Council shall receive, in addition, \$12,214 per annum.	Additional salary for Premier
--	-------------------------------

(3) The annual salary of every minister without portfolio is \$14,433.	Salary of minister without portfolio
--	--------------------------------------

(4) The annual salary of every Parliamentary Assistant is \$8,880.	Salary of Parliamentary Assistant
--	-----------------------------------

2. This Act shall be deemed to have come into force on the 1st day of April, 1987.	Commence-ment
---	---------------

3. The short title of this Act is the <i>Executive Council Amendment Act, 1988</i> .	Short title
---	-------------

CHAPTER 16

An Act to amend the Election Finances Act, 1986

Assented to January 7th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 12 of the *Election Finances Act, 1986*, being chapter 33, is repealed.

2.—(1) Subsection 13 (2) of the said Act is amended by striking out “34 (3) or 45 (3)” wherever it appears and by inserting in lieu thereof, in each instance, “or 34 (3)”.

(2) Subsection 13 (6) of the said Act is amended by striking out “or subsection 45 (3)” in the second and third lines and in the fourth and fifth lines.

3. Clause 34 (4) (d) of the said Act is amended by striking out “43 and 45” in the second line and inserting in lieu thereof “and 43”.

4.—(1) Subsection 41 (4) of the said Act is amended by striking out “43 and 45” in the fifth line and inserting in lieu thereof “and 43”.

(2) Clause 41 (7) (a) of the said Act is amended by striking out “43 and 45” in the third line and inserting in lieu thereof “and 43”.

(3) Clauses 41 (7) (b) and (c) of the said Act are amended by striking out “sections 43 and 45” wherever it appears and inserting in lieu thereof, in each instance, “section 43”.

5. Section 45 of the said Act is repealed.

6. Subsection 48 (1) of the said Act is amended by striking out “43 or 45” in the third line and inserting in lieu thereof “or 43”.

Commence-
ment

7. This Act shall be deemed to have come into force on the 1st day of January, 1988.

Short title

8. The short title of this Act is the *Election Finances Amendment Act, 1988*.

CHAPTER 17

An Act respecting Conflicts of Interest of Members of the Assembly and the Executive Council

Assented to February 11th, 1988

CONTENTS

Section	Section
1. Definitions	12. Disclosure statement
2. Conflict of interest	13. Public disclosure statement
3. Insider information	14. Commissioner's opinions and advice
4. Influence	15. Commissioner's opinion on referred question
5. Activities on behalf of constituents	16. Inquiry
6. Accepting extra benefits	17. Penalties
7. Former members of Executive Council, benefits and lobbying	18. Offence
8. Carrying on business	19. Regulations
9. Procedure on conflict of interest	20. Commencement
10. Commissioner	21. Short title
11. Annual report	

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definitions	1. In this Act,
"enfant"	"child" includes a person whom a member has demonstrated a settled intention to treat as a child of his or her family, except under an arrangement where the child is placed for valuable consideration in a foster home by a person having lawful custody;
"membre"	"member" means a member of the Legislative Assembly or of the Executive Council, or both;

CHAPITRE 17

**Loi concernant les conflits d'intérêts
des membres de l'Assemblée
et du Conseil des ministres**

Sanctionnée le 11 février 1988

TABLE DES MATIÈRES

Article	Article
1. Définitions	10. Commissaire
2. Conflit d'intérêts	11. Rapport annuel
3. Renseignements d'initiés	12. État de divulgation
4. Influence	13. État de divulgation publique
5. Activités exercées pour le compte d'électeurs	14. Avis et conseils du Commissaire
6. Acceptation d'avantages supplémentaires	15. Avis du Commissaire sur un renvoi
7. Avantages offerts à d'anciens membres du Conseil des ministres	16. Enquête
8. Activités commerciales	17. Pénalité
9. Procédure en cas de conflit d'intérêts	18. Infraction
	19. Règlements
	20. Entrée en vigueur
	21. Titre abrégé

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

1 Les définitions qui suivent s'appliquent à la présente loi. Définitions

«conjoint» Conjoint du membre au sens de la partie III de la *Loi de 1986 sur le droit de la famille*, à l'exclusion toutefois de la personne avec qui le membre est marié s'ils ont conclu un accord de séparation ou si leurs obligations alimentaires et leurs biens familiaux ont fait l'objet d'une ordonnance. «spouse» 1986, chap. 4

«enfant» S'entend en outre de la personne dont le membre a manifesté l'intention bien arrêtée de la traiter comme s'il s'agissait d'un enfant de sa famille, sauf si cette personne est placée, contre valeur, dans un foyer d'accueil par celui qui en a la garde légitime. «child»

"intérêt
personnel"

"private interest" does not include an interest in a decision,

- (a) that is of general public application,
- (b) that affects a member as one of a broad class of electors, or
- (c) that concerns the remuneration and benefits of a member or an officer or employee of the Legislative Assembly;

"conjoint"
1986, c. 4

"spouse" means a person who is the member's spouse within the meaning of Part III of the *Family Law Act, 1986*, but does not include a person to whom the member is married if they have made a separation agreement or if their support obligations and family property have been dealt with by a court order.

Conflict of
interest

2. For the purposes of this Act, a member has a conflict of interest when the member makes a decision or participates in making a decision in the execution of his or her office and at the same time knows that in the making of the decision there is the opportunity to further his or her private interest.

Insider
information

3. A member shall not use information that is gained in the execution of his or her office and is not available to the general public to further or seek to further the member's private interest.

Influence

4. A member shall not use his or her office to seek to influence a decision made by another person to further the member's private interest.

Activities on
behalf of
constituents

5. This Act does not prohibit the activities in which members normally engage on behalf of constituents.

Accepting
extra benefits

6.—(1) A member shall not accept a fee, gift or personal benefit, except compensation authorized by law, that is connected directly or indirectly with the performance of his or her duties of office.

Exception

(2) Subsection (1) does not apply to a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office.

Disclosure

(3) Where a gift or personal benefit referred to in subsection (2) exceeds \$200 in value, or where the total value

«intérêt personnel» Ne comprend pas un intérêt dans une décision qui, selon le cas : «private interest»

- a) est d'application publique en général;
- b) concerne un membre en sa qualité de membre d'une vaste catégorie d'électeurs;
- c) concerne la rémunération et les avantages d'un membre, d'un fonctionnaire ou d'un employé de l'Assemblée législative.

«membre» Membre de l'Assemblée législative ou du Conseil des ministres, ou des deux. «member»

2 Pour l'application de la présente loi, le membre a un conflit d'intérêts lorsqu'il prend une décision ou participe à celle-ci dans l'exécution de ses fonctions et qu'il sait, en prenant cette décision, qu'existe la possibilité de favoriser ses intérêts personnels. Conflit d'intérêts

3 Le membre n'utilise pas les renseignements qu'il obtient dans l'exercice de ses fonctions et qui ne sont pas accessibles au public en général, afin de favoriser ou de chercher à favoriser ses intérêts personnels. Renseignements d'initiés

4 Le membre ne fait pas usage de ses fonctions afin de chercher à influencer une décision prise par une autre personne, dans le dessein de favoriser ses intérêts personnels. Influence

5 La présente loi n'interdit pas les activités qu'exercent normalement les membres pour le compte des électeurs. Activités exercées pour le compte d'électeurs

6 (1) Sauf dans le cas d'une indemnisation qu'autorise la loi, le membre n'accepte pas d'honoraires, de dons ni d'avantages personnels qui sont liés, directement ou indirectement, à l'exercice des devoirs de ses fonctions. Acceptation d'avantages supplémentaires

(2) Le paragraphe (1) ne s'applique pas à un don ou à un avantage personnel qui est reçu dans le cadre du protocole ou d'obligations sociales qui accompagnent habituellement les charges de la fonction. Exception

(3) Si le don ou l'avantage personnel visé au paragraphe (2) a une valeur supérieure à 200 \$, ou si la valeur totale reçue, directement ou indirectement, d'une source au cours d'une période de douze mois est supérieure à 200 \$, le membre dépose immédiatement auprès du Commissaire un état de divulgation dans la forme prescrite par les règlements, qui Divulgation

received directly or indirectly from one source in any twelve-month period exceeds \$200, the member shall immediately file with the Commissioner a disclosure statement, in the form prescribed by the regulations, indicating the nature of the gift or benefit, its source and the circumstances under which it was given and accepted.

Former
members of
Executive
Council,
benefits and
lobbying

7.—(1) The Executive Council, a member of the Executive Council or an employee of a ministry (other than an employee of an agency, board or commission) shall not knowingly,

- (a) award or approve a contract with, or grant a benefit to, a former member of the Executive Council, until twelve months have expired after the date when the former member ceased to hold office;
- (b) award or approve a contract with, or grant a benefit to, a former member of the Executive Council who has, during the twelve months after the date when he or she ceased to hold office, made representations in respect of the contract or benefit;
- (c) award or approve a contract with, or grant a benefit to, a person on whose behalf a former member of the Executive Council has, during the twelve months after the date when he or she ceased to hold office, made representations in respect of the contract or benefit.

Exception

(2) Clauses (1) (a) and (b) do not apply to contracts or benefits in respect of further duties in the service of the Crown.

Idem

(3) Clauses (1) (a), (b) and (c) do not apply if the conditions on which the contract or benefit is awarded, approved or granted are the same for all persons similarly entitled.

Carrying on
business

8.—(1) A member of the Executive Council shall not,

- (a) engage in employment or in the practice of a profession;
- (b) carry on a business; or
- (c) hold an office or directorship other than in a social club, religious organization or political party,

except as required or permitted by the responsibilities of being a member of the Executive Council.

indique la nature du don ou de l'avantage, sa source et les circonstances dans lesquelles il a été remis et accepté.

7 (1) Le Conseil des ministres, l'un de ses membres ou un employé d'un ministère (à l'exclusion d'un employé d'un organisme, d'un conseil ou d'une commission) ne doit sciemment :

Avantages
offerts à
d'anciens
membres du
Conseil des
ministres

- a) accorder ni approuver un contrat en faveur d'un ancien membre du Conseil des ministres, ni lui accorder un avantage, tant que douze mois ne se sont pas écoulés à compter de la date où l'ancien membre a cessé d'exercer ses fonctions;
- b) accorder ni approuver un contrat, ni accorder un avantage en faveur d'un ancien membre du Conseil des ministres qui a fait des observations concernant ce contrat ou cet avantage pendant les douze mois qui suivent la date où l'ancien membre a cessé d'exercer ses fonctions;
- c) accorder ni approuver un contrat, ni accorder un avantage en faveur d'une personne pour le compte de laquelle un ancien membre du Conseil des ministres a fait des observations concernant ce contrat ou cet avantage pendant les douze mois qui suivent la date où l'ancien membre a cessé d'exercer ses fonctions.

(2) Les alinéas (1) a) et b) ne s'appliquent pas aux contrats et avantages concernant d'autres devoirs au service de la Couronne.

Exception

(3) Les alinéas (1) a), b) et c) ne s'appliquent pas si les conditions selon lesquelles le contrat ou l'avantage est accordé ou approuvé sont les mêmes pour toutes les personnes y ayant semblablement droit.

Idem

8 (1) À l'exclusion de ce qui est requis ou permis dans le cadre de ses responsabilités, le membre du Conseil des ministres ne doit pas :

Activités com-
merciales

- a) exercer de profession ni d'emploi;
- b) exercer d'activités commerciales;
- c) occuper de poste ni ne faire partie d'un conseil d'administration, sauf dans un club social, une organisation religieuse ou un parti politique.

Time for
compliance

(2) A person who becomes a member of the Executive Council shall comply with subsection (1) before the sixty-first day that follows his or her appointment.

Idem

(3) The Commissioner may extend the period referred to in subsection (2) by giving the member a written notice to that effect, and may impose on the extension such conditions as the Commissioner considers just.

Trusts

(4) If a member of the Executive Council complies with clause (1) (b) by entrusting his or her business to one or more trustees,

- (a) the provisions of the trust shall be approved by the Commissioner;
- (b) the trustees shall be persons who are at arm's length with the member and approved by the Commissioner;
- (c) the trustees shall not consult with the member with respect to managing the trust property; and
- (d) the trustees shall report all material changes in assets, liabilities, and financial interests contained in the trust to the member and the Commissioner, in writing, forthwith after the changes have occurred.

Routine
personal
financial
interests

(5) For the purposes of this section, the management of routine personal financial interests does not constitute carrying on a business.

Proceeding on
conflict of
interest

9.—(1) A member who has reasonable grounds to believe that he or she has a conflict of interest in a matter that is before the Assembly or the Executive Council, or a committee of either of them, shall, if present at a meeting considering the matter,

- (a) disclose the general nature of the conflict of interest; and
- (b) withdraw from the meeting without voting or participating in the consideration of the matter.

Idem

(2) A member of the Executive Council who has reasonable grounds to believe that he or she has a conflict of interest in a matter requiring the member's decision shall request another member of the Executive Council to perform the

(2) La personne qui devient membre du Conseil des ministres se conforme au paragraphe (1) avant le soixante et unième jour qui suit sa nomination. Délai

(3) Le Commissaire peut proroger le délai visé au paragraphe (2) en donnant au membre un avis écrit à cet effet. Il peut assortir la prorogation des conditions qu'il estime justes. Idem

(4) Si un membre du Conseil des ministres se conforme à l'alinéa (1) b) en confiant ses activités commerciales à un ou plusieurs fiduciaires : Fiducies

- a) les dispositions de la fiducie sont approuvées par le Commissaire;
- b) les fiduciaires n'ont pas de lien de dépendance avec le membre et sont approuvés par le Commissaire;
- c) les fiduciaires ne doivent pas s'entretenir avec le membre de la gestion des biens en fiducie;
- d) les fiduciaires font rapport au membre et au Commissaire de tous les changements importants apportés à l'actif, au passif et aux intérêts financiers qui sont déposés en fiducie, par écrit et sans délai après que ces changements ont été faits.

(5) Pour l'application du présent article, la gestion d'intérêts financiers personnels d'ordre courant ne constitue pas des activités commerciales. Intérêts financiers personnels d'ordre courant

9 (1) Le membre qui a des motifs raisonnables de croire qu'il a un conflit d'intérêts dans une affaire qui est devant l'Assemblée, le Conseil des ministres ou un de leurs comités est tenu, s'il est présent à la réunion où l'affaire est étudiée : Procédure en cas de conflit d'intérêts

- a) de divulguer la nature générale du conflit d'intérêts;
- b) de se retirer de la réunion sans exercer son droit de vote ou sans participer à l'étude de l'affaire.

(2) Le membre du Conseil des ministres qui a des motifs raisonnables de croire qu'il a un conflit d'intérêts dans une affaire qui requiert sa décision, demande à un autre membre du Conseil d'exercer ses devoirs dans cette affaire en vue de Idem

member's duties in the matter for the purpose of making the decision and the member to whom it is referred may act in the matter for the period of time necessary for the purpose.

COMMISSIONER

Commissioner

10.—(1) There shall be a Commissioner who is an officer of the Assembly.

Appointment

(2) The Lieutenant Governor in Council shall appoint a person to the office of Commissioner on the address of the Assembly.

Term of office

(3) The person appointed shall hold office for a term of five years and may be reappointed for a further term or terms.

Removal

(4) The person appointed as Commissioner may be removed before the expiration of the term of office by the Lieutenant Governor in Council for cause on the address of the Assembly.

Salary

(5) The Commissioner shall be paid such remuneration and allowances as are fixed by the Lieutenant Governor in Council.

Staff

(6) The employees and officers that are necessary for the performance of the duties of the Commissioner shall be members of the staff of the Office of the Assembly.

Annual report

11. The Commissioner shall report annually upon the affairs of his or her office to the Speaker of the Assembly who shall cause the report to be laid before the Assembly.

DISCLOSURE

Disclosure statement

12.—(1) Every member shall, within sixty days of being elected, and thereafter annually, file with the Commissioner a disclosure statement in the form prescribed by the regulations.

Contents

(2) The disclosure statement shall contain,

(a) a statement of the assets, liabilities and financial interests of the member, the member's spouse and minor children, and private companies as defined in the *Securities Act* controlled by any of them;

R.S.O. 1980,
c. 466

(b) a statement of any income the member and the member's spouse and minor children, and private companies as defined in the *Securities Act* controlled by any of them, have received in the preced-

prendre la décision. Le membre à qui ces devoirs sont confiés peut les exercer pendant le laps de temps nécessaire à cette fin.

COMMISSAIRE

10 (1) Est créé un poste de Commissaire qui est un fonctionnaire de l'Assemblée. Commissaire

(2) Le lieutenant-gouverneur en conseil nomme une personne au poste de Commissaire sur adresse de l'Assemblée. Nomination

(3) La personne nommée exerce un mandat de cinq ans qui peut être renouvelé. Mandat

(4) Le lieutenant-gouverneur en conseil, sur adresse de l'Assemblée, peut révoquer la personne nommée en qualité de Commissaire avant l'expiration de son mandat, pour un motif valable. Révocation

(5) Le Commissaire reçoit la rémunération et les indemnités que fixe le lieutenant-gouverneur en conseil. Traitement

(6) Le personnel nécessaire à l'exécution des fonctions du Commissaire se compose des membres du personnel du bureau de l'Assemblée. Personnel

11 Chaque année, le Commissaire présente un rapport de ses travaux au président de l'Assemblée qui le fait déposer devant l'Assemblée. Rapport annuel

DIVULGATION

12 (1) Chaque membre, dans les soixante jours de son élection, et annuellement par la suite, dépose auprès du Commissaire un état de divulgation dans la forme prescrite par les règlements. État de divulgation

(2) L'état de divulgation comporte : Teneur

- a) un état de l'actif, du passif et des intérêts financiers du membre, de son conjoint et de ses enfants mineurs, ainsi que des compagnies privées au sens de la *Loi sur les valeurs mobilières* dont l'un quelconque d'entre eux a le contrôle; L.R.O. 1980, chap. 466
- b) un état de tout revenu que le membre, son conjoint, ses enfants mineurs, et les compagnies privées, au sens de la *Loi sur les valeurs mobilières*, dont l'un quelconque d'entre eux a le contrôle, ont reçu au

ing twelve months or are entitled to receive in the next twelve months and the source of the income; and

- (c) any other information that is prescribed by the regulations.

Meeting with
Commissioner
Sec. 13

(3) After filing a disclosure statement, the member, and the member's spouse if the spouse is available, shall meet with the Commissioner to ensure that adequate disclosure has been made and to obtain advice on the member's obligations under this Act.

Sec. 13
corporations

(4) If any asset, liability or financial interest described in the disclosure statement relates to a corporation, the Commissioner shall ascertain whether any other corporation is an affiliate of the first-named corporation, as determined under subsections 1 (2) to (6) of the *Securities Act*.

R.S.O. 1980,
c. 466

Idem

(5) If the Commissioner determines that there is an affiliate of the first-named corporation, he or she shall advise the member of the fact, in writing, and shall also mention the fact in the public disclosure statement prepared in accordance with section 13.

disclosure

13. (1) After meeting with the member, and with the member's spouse if the spouse is available, the Commissioner shall prepare a public disclosure statement containing all relevant information provided by the member, and by the member's spouse if the spouse met with the Commissioner, in respect of the member, the spouse and minor children, except,

- (a) assets, liabilities and financial interests having a value of less than \$1,000;
- (b) the source of income where the income paid from the source has a value of less than \$1,000 in any twelve-month period;
- (c) the value of the assets, financial interests and liabilities of the member's spouse and minor children and of private companies as defined in the *Securities Act* controlled by the spouse or by a child;
- (d) the amount of income of the member's spouse or minor children or of a private company controlled by the spouse or a minor child where the income is

R.S.O. 1980,
c. 466

cours des douze mois précédents ou sont en droit de recevoir au cours des douze prochains mois, ainsi que l'indication de la source de ce revenu;

- c) tout autre renseignement prescrit par les règlements.

(3) Après avoir déposé un état de divulgation, le membre, et son conjoint si ce dernier est disponible, rencontrent le Commissaire afin de s'assurer que la divulgation a été satisfaisante, et d'obtenir des conseils concernant les obligations du membre en vertu de la présente loi.

Rencontre
avec le
Commissaire

(4) Si un élément d'actif ou du passif ou un intérêt financier décrit à l'état de divulgation concerne une compagnie, le Commissaire vérifie si une autre compagnie est membre du même groupe, au sens des paragraphes 1 (2) à (6) de la *Loi sur les valeurs mobilières*.

Compagnie du
même groupe

(5) Si le Commissaire détermine qu'il existe un membre du même groupe que la première compagnie, il en avise le membre de l'Assemblée par écrit. Il mentionne également ce fait dans l'état de divulgation publique qu'il prépare conformément à l'article 13.

Idem

13 (1) Après avoir rencontré le membre, et son conjoint si ce dernier est disponible, le Commissaire établit un état de divulgation publique faisant état de tous les renseignements pertinents fournis par le membre, et par le conjoint si ce dernier a rencontré le Commissaire, concernant le membre, son conjoint et ses enfants mineurs, à l'exclusion de ce qui suit :

État de
divulgation
publique

- a) l'actif, le passif et les intérêts financiers dont la valeur est inférieure à 1 000 \$;
- b) la source de revenu, si ce revenu est inférieur à 1 000 \$ au cours d'une période de douze mois;
- c) la valeur de l'actif, du passif et des intérêts financiers du conjoint et des enfants mineurs du membre, ainsi que des compagnies privées au sens de la *Loi sur les valeurs mobilières* dont le conjoint ou un enfant a le contrôle;
- d) le montant du revenu du conjoint, des enfants mineurs du membre, ou d'une compagnie privée que contrôle le conjoint ou un enfant mineur, si ce

L.R.O. 1980,
chap. 466

paid from a source other than directly from a ministry or an agency, board or commission of the government;

- (e) the municipal address or legal description of real property that is primarily for the residential or recreational use of the member or the member's spouse or minor children;
- (f) personal property used for transportation or for household, educational, recreational, social or aesthetic purposes;
- (g) the amount of cash on hand or on deposit with a chartered bank, trust company or other financial institution in Ontario that is lawfully entitled to accept deposits;
- (h) the amount of Canada Savings Bonds and other investments or securities of fixed value issued or guaranteed by any level of government in Canada or an agency of such government;
- (i) the value of registered retirement savings plans that are not self-administered;
- (j) the amount invested in open-ended mutual funds;
- (k) the value of guaranteed investment certificates or other similar financial instruments;
- (l) the value of annuities and life insurance policies;
- (m) the value of pension rights; and
- (n) the amount of the following liabilities:
 - 1. Mortgages and unpaid realty taxes on property referred to in clause (e).
 - 2. Liabilities related to assets referred to in clauses (f), (h), (i), (j), (k), (l) and (m).
 - 3. Unpaid income taxes.
 - 4. Support payments.

revenu provient d'une source autre que directement d'un ministère, d'un organisme, d'un conseil ou d'une commission du gouvernement;

- e) l'adresse municipale ou la description légale d'un bien immeuble utilisé essentiellement à des fins de résidence ou de loisir par le membre, son conjoint ou ses enfants mineurs;
- f) les biens meubles utilisés à des fins de transport, domestiques, éducatives, sociales, décoratives ou de loisirs;
- g) le montant de l'argent en caisse ou en dépôt dans une banque à charte, compagnie de fiducie ou autre institution financière en Ontario légitimement autorisée à accepter des dépôts;
- h) le montant d'obligations d'épargne du Canada et d'autres placements ou valeurs mobilières à valeur fixe, émis ou garantis par un palier de gouvernement au Canada ou l'un de ses organismes;
- i) la valeur des régimes enregistrés d'épargne-retraite qui ne sont pas autogérés;
- j) le montant investi dans des compagnies d'investissement à capital variable;
- k) la valeur des certificats de placement garantis ou d'autres effets financiers semblables;
- l) la valeur de rentes et de polices d'assurance-vie;
- m) la valeur des droits à une pension;
- n) le montant des éléments de passif qui suivent :
 - 1. Les hypothèques grevant les biens visés à l'alinéa e), et les impôts fonciers impayés sur ces biens.
 - 2. Les éléments de passif liés aux éléments d'actif visés aux alinéas f), h), i), j), k), l) et m).
 - 3. Les impôts sur le revenu impayés.
 - 4. Les aliments.

- Exception (2) The Commissioner may except from the public disclosure statement the source of income received by a member's spouse or minor child, or by a private company as defined in the *Securities Act* controlled by the spouse or child, in respect of services that are customarily provided on a confidential basis.
- R.S.O. 1980, c. 466
- Idem (3) The Commissioner may also except from the public disclosure statement the source of income received by a member's spouse or minor child, or by a private company as defined in the *Securities Act* controlled by the spouse or child, if the possibility of serious harm to the spouse's, child's or company's business justifies a departure from the general principle of public disclosure.
- Content (4) The public disclosure statement shall contain a statement of the nature of the assets referred to in clauses (1) (g) to (m) and the name and location of persons or institutions against whom the assets are held.
- Idem (5) The public disclosure statement shall contain a statement of any gifts or benefits that have been disclosed to the Commissioner under subsection 6 (3).
- Filing (6) The Commissioner shall, as soon as is practicable, file the public disclosure statement with the Clerk of the Legislative Assembly who shall make it available for examination by the public.
- Commissioner's opinions and advice **14.—**(1) A member may, by application in writing, request that the Commissioner give an opinion and recommendations on any matter respecting the obligations of the member under this Act.
- Inquiries (2) The Commissioner may make such inquiries as the Commissioner considers appropriate and provide the member with a written opinion and recommendations.
- Confidentiality (3) The opinion and recommendations of the Commissioner are confidential, but may be released by the member or with the consent of the member in writing.
- Commissioner's opinion on referred question **15.—**(1) A member who has reasonable and probable grounds to believe that another member is in contravention of this Act may, by application in writing setting out the grounds for the belief and the nature of the contravention alleged, request that the Commissioner give an opinion respecting the compliance of the other member with the provisions of this Act.

(2) Le Commissaire peut soustraire de l'état de divulgation publique la source du revenu qu'a reçu le conjoint du membre, son enfant mineur ou une compagnie privée au sens de la *Loi sur les valeurs mobilières* dont le conjoint ou l'enfant a le contrôle, en ce qui concerne des services habituellement fournis confidentiellement.

Exception

L.R.O. 1980,
chap. 466

(3) Le Commissaire peut également soustraire de l'état de divulgation publique la source du revenu qu'a reçu le conjoint du membre, son enfant mineur ou une compagnie privée au sens de la *Loi sur les valeurs mobilières* dont le conjoint ou l'enfant a le contrôle, si la possibilité de causer un préjudice sérieux aux activités commerciales du conjoint ou de l'enfant ou aux activités de la compagnie justifie une dérogation au principe général de la divulgation publique.

Idem

(4) L'état de divulgation publique comporte une déclaration de la nature des éléments d'actif visés aux alinéas (1) g) à m), ainsi que les noms et lieux de personnes ou d'établissements à l'égard desquels l'actif est détenu.

Teneur

(5) L'état de divulgation publique comporte une déclaration des dons ou avantages qui ont été divulgués au Commissaire en vertu du paragraphe 6 (3).

Idem

(6) Dès que cela est possible, le Commissaire dépose l'état de divulgation publique auprès du greffier de l'Assemblée législative qui le met à la disposition du public pour examen.

Dépôt

14 (1) Un membre peut, sur demande écrite, demander que le Commissaire donne un avis et formule des recommandations sur une affaire qui a trait aux obligations du membre en vertu de la présente loi.

Avis et
conseils du
Commissaire

(2) Le Commissaire peut faire les enquêtes qu'il estime pertinentes, et fournir au membre, par écrit, son avis et ses recommandations.

Enquête

(3) L'avis et les recommandations du Commissaire sont confidentiels. Ils peuvent toutefois être communiqués par le membre ou avec le consentement écrit de celui-ci.

Confidentialité

15 (1) Un membre qui a des motifs raisonnables et probables de croire qu'un autre membre enfreint la présente loi peut, sur demande écrite qui énonce les motifs de sa conviction ainsi que la nature de l'infraction prétendue, demander que le Commissaire donne son avis sur une affaire ayant trait à l'observation de la présente loi par l'autre membre.

Avis du
Commissaire
sur un renvoi

Idem (2) The Legislative Assembly may, by resolution, request that the Commissioner give an opinion on any matter respecting the compliance of a member with the provisions of this Act.

Idem (3) The Executive Council may request that the Commissioner give an opinion on any matter respecting the compliance of a member of the Executive Council with the provisions of this Act.

Inquiry by Assembly (4) Where a matter has been referred to the Commissioner under subsection (1) or (2), the Legislative Assembly or a committee thereof shall not conduct an inquiry into the matter.

Inquiry **16.**—(1) Upon receiving a request under section 15, and on giving the member concerned reasonable notice, the Commissioner may conduct an inquiry.

Idem (2) Where the request for an opinion is made under subsection 15 (1) or (2), the Commissioner may elect to exercise the powers of a commission under Parts I and II of the *Public Inquiries Act*, in which case those Parts apply to the inquiry as if it were an inquiry under that Act.

R.S.O. 1980,
c. 411

Report to Speaker (3) Where the request for an opinion is made under subsection 15 (1) or (2), the Commissioner shall report his or her opinion to the Speaker of the Assembly who shall cause the report to be laid before the Assembly if it is in session or, if not, at the next session.

Report to Lieutenant Governor in Council (4) Where the request for an opinion is made under subsection 15 (3), the Commissioner shall report his or her opinion to the Clerk of the Executive Council.

Penalties **17.**—(1) Where the Commissioner conducts an inquiry under Parts I and II of the *Public Inquiries Act* for the purposes of subsection 15 (1) or (2) and finds that the member has contravened section 3, 4, 6, 7, 8 or 9, or has refused to file a disclosure statement within the time provided by section 12, the Commissioner may recommend in the report that is laid before the Assembly,

R.S.O. 1980,
c. 411

(a) that the member be reprimanded;

(b) that the member's seat be declared vacant until an election is held in the member's electoral district.

(2) L'Assemblée législative peut, par voie de résolution, demander que le Commissaire donne son avis sur une affaire ayant trait à l'observation de la présente loi par un membre. Idem

(3) Le Conseil des ministres peut demander que le Commissaire donne son avis sur une affaire ayant trait à l'observation de la présente loi par l'un de ses membres. Idem

(4) Si une affaire a été transmise au Commissaire en vertu du paragraphe (1) ou (2), l'Assemblée législative ou l'un de ses comités n'enquête pas sur cette affaire. Enquête par l'Assemblée

16 (1) Après avoir reçu une demande en vertu de l'article 15 et après avoir donné un avis suffisant au membre visé, le Commissaire peut faire une enquête. Enquête

(2) Si la demande d'avis est faite en vertu du paragraphe 15 (1) ou (2), le Commissaire peut choisir d'exercer les pouvoirs conférés à une commission par les parties I et II de la *Loi sur les enquêtes publiques*, auquel cas, elles s'appliquent à l'enquête de la même façon que s'il s'agissait d'une enquête en vertu de cette loi. Idem
L.R.O. 1980,
chap. 411

(3) Si la demande d'avis est faite en vertu du paragraphe 15 (1) ou (2), le Commissaire présente un rapport de son avis au président qui le fait déposer devant l'Assemblée. Si celle-ci ne siège pas, il le dépose à la session suivante. Rapport au président de l'Assemblée

(4) Si la demande d'avis est faite en vertu du paragraphe 15 (3), le Commissaire fait rapport de son avis au greffier du Conseil des ministres. Rapport au lieutenant-gouverneur en conseil

17 (1) Si le Commissaire fait une enquête en vertu des parties I et II de la *Loi sur les enquêtes publiques* aux fins du paragraphe 15 (1) ou (2), et constate que le membre a contrevenu à l'article 3, 4, 6, 7, 8 ou 9, ou a refusé de déposer un état de divulgation dans le délai prévu à l'article 12, il peut recommander, dans le rapport déposé devant l'Assemblée :

- a) que le membre soit réprimandé;
- b) qu'il ait son siège déclaré vacant jusqu'à ce qu'une élection soit tenue dans la circonscription électorale du membre.

Pénalité
L.R.O. 1980,
chap. 411

Time for
response

(2) The Assembly shall consider the Commissioner's report and respond to it as subsection (3) provides within six months of the day the report is laid before the Assembly.

Order of
Assembly

(3) The Assembly may order the imposition of the recommendation of the Commissioner under subsection (1) or may reject the recommendation, and sections 45 and 48 of the *Legislative Assembly Act* apply in the same manner as to a contempt of the Assembly, except the power to further inquire into the contravention or to impose a punishment other than the one recommended.

R.S.O. 1980,
c. 235

Offence

18.—(1) A former member of the Executive Council shall not, unless twelve months have expired after the date when he or she ceased to hold office,

(a) accept a contract or benefit that is awarded, approved or granted by the Executive Council, a member of the Executive Council or an employee of a ministry (other than an employee of an agency, board or commission);

(b) make representations on his or her own behalf with respect to such a contract or benefit;

(c) make representations on another person's behalf with respect to such a contract or benefit.

Exception

(2) Clauses (1) (a) and (b) do not apply to contracts or benefits in respect of further duties in the service of the Crown.

Idem

(3) Clauses (1) (a), (b) and (c) do not apply if the conditions on which the contract or benefit is awarded, approved or granted are the same for all persons similarly entitled.

Penalty

(4) A person who contravenes subsection (1) is guilty of an offence and liable, on conviction, to a fine of not more than \$5,000.

Regulations

19. The Commissioner may, subject to the approval of the Lieutenant Governor in Council, make regulations prescribing any matter that is referred to in this Act as prescribed by the regulations.

(2) Dans les six mois à compter du jour où le rapport du Commissaire est déposé devant l'Assemblée, celle-ci l'étudie et y répond selon ce que prévoit le paragraphe (3). Délai

(3) L'Assemblée peut ordonner l'imposition des mesures que recommande le Commissaire en vertu du paragraphe (1) ou rejeter ces recommandations. Les articles 45 et 48 de la *Loi sur l'Assemblée législative* s'appliquent de la même façon que dans le cas d'outrage à l'Assemblée, sauf qu'il n'est pas possible de pousser plus avant l'enquête relative à la contravention, ou d'imposer une sanction autre que celle qui est recommandée. Ordre de l'Assemblée
L.R.O. 1980,
chap. 235

18 (1) À moins que douze mois ne se soient écoulés à compter de la date où il a cessé d'exercer ses fonctions, l'ancien membre du Conseil des ministres ne doit pas : Infraction

- a) accepter un contrat ni un avantage qui sont accordés ou approuvés par le Conseil des ministres, l'un de ses membres ou un employé d'un ministère (à l'exclusion d'un employé d'un organisme, d'un conseil ou d'une commission);
- b) faire des observations pour son propre compte concernant un tel contrat ou avantage;
- c) faire des observations pour le compte d'autrui concernant un tel contrat ou avantage.

(2) Les alinéas (1) a) et b) ne s'appliquent pas aux contrats et avantages concernant d'autres devoirs au service de la Couronne. Exception

(3) Les alinéas (1) a), b) et c) ne s'appliquent pas si les conditions selon lesquelles le contrat ou l'avantage est accordé ou approuvé sont les mêmes pour toutes les personnes y ayant semblablement droit. Idem

(4) La personne qui contrevient au paragraphe (1) est coupable d'une infraction et passible, sur déclaration de culpabilité, d'une amende d'au plus 5 000 \$. Peine

19 Sous réserve de l'approbation du lieutenant-gouverneur en conseil, le Commissaire peut, par règlement, prescrire une question mentionnée dans la présente loi comme étant prescrite par les règlements. Règlements

Commence-
ment

20.—(1) This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Filing of
disclosure
statements

(2) Members who are in office when this Act comes into force shall file the disclosure statement required by section 12 within sixty days after this Act comes into force.

Short title

21. The short title of this Act is the *Members' Conflict of Interest Act, 1988*.

20 (1) La présente loi entre en vigueur le jour que le lieutenant-gouverneur fixe par proclamation. Entrée en
vigueur

(2) Les membres en fonction lors de l'entrée en vigueur de la présente loi déposent l'état de divulgation requis par l'article 12 dans les soixante jours de l'entrée en vigueur de la présente loi. Dépôt des
états de
divulgation

21 Le titre abrégé de la présente loi est *Loi de 1988 sur les conflits d'intérêts des membres de l'Assemblée*. Titre abrégé

CHAPTER 18

**An Act to establish the Ontario
Automobile Insurance Board and to provide
for the Review of Automobile Insurance Rates**

Assented to February 11th, 1988

CONTENTS

Section

Section

1. Definitions

PART I

ONTARIO AUTOMOBILE
INSURANCE BOARD

2. Board established

3. Composition of Board

4. Quorum

5. Chairperson and vice-
chairperson

6. Completion of matters

7. Staff

8. Immunity

9. Annual report

10. Moneys

11. Expeditious procedures

12. Powers and duties of Board

13. Orders

14. Exclusive jurisdiction

15. Access to material, decisions
and orders

16. Costs

17. Stated case

18. Appeal to Divisional Court

PART II

RATE AND DIVIDEND REVIEW

19. Classes of risk exposure

20. Premium rates to be set by
Board

21. Prohibition

22. Approval of rates

23. Rates outside range

24. Facility Association rates

25. Dividends

PART III

ENFORCEMENT, REGULATIONS
AND MISCELLANEOUS

26. Offences and penalties

27. Policy statements

28. References

29. Regulations

30. Non-application of *Regulations
Act*

31. Conflict with other Acts

32. Complementary amendments

33. Prohibition against
discrimination

34. Commencement

35. Short title

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of the Province of Ontario, enacts as
follows:

1.—(1) In this Act,

Definitions

“automobile insurance” has the same meaning as in section 1
of the *Insurance Act*, except that it does not include insur-
ance for any motor vehicle or trailer that may be operated

R.S.O. 1980,
c. 218

R.S.O. 1980,
c. 198

legally on a highway without a permit issued under section 7 of the *Highway Traffic Act* other than a motorized snow vehicle;

“Board” means the Ontario Automobile Insurance Board established under this Act;

“industry-wide hearing” means an industry-wide hearing required or permitted by Part II;

“insurers’ association” means an association of insurers whose purpose it is to advise its members on rates or to maintain statistical information on behalf of its members or on behalf of the Superintendent;

R.S.O. 1980,
c. 238

“insurer” means an insurer licensed under the *Insurance Act* and carrying on the business of automobile insurance but does not include an insurer whose licence is limited to contracts of reinsurance;

“Minister” means the Minister of Financial Institutions or such other member of the Executive Council as is designated by the Lieutenant Governor in Council to administer this Act;

“prescribed” means prescribed by the regulations;

“rate” means the amount payable under contracts of automobile insurance for an identified risk exposure whether expressed in dollar terms or in some other manner and includes commissions, surcharges, fees, discounts and rebates;

“regulations” means the regulations made under this Act;

“Superintendent” means the Superintendent of Insurance.

Facility
Association
R.S.O. 1980,
c. 83

(2) The Facility Association established under the *Compulsory Automobile Insurance Act* shall be deemed to be a person for the purposes of this Act and any proceeding before the Board or a court under this Act may be instituted by or against it in its own name.

PART I

ONTARIO AUTOMOBILE INSURANCE BOARD

Board
established

2. A board to be known as the Ontario Automobile Insurance Board is established.

3.—(1) The Board shall be composed of such number of members as the Lieutenant Governor in Council may appoint. Composition of Board

(2) The members of the Board shall be representative of insureds, the insurance industry and the public. Idem

(3) The members of the Board who are not Crown employees shall be paid such remuneration and expenses as the Lieutenant Governor in Council determines. Remuneration and expenses

4.—(1) One-half of the members of the Board constitutes a quorum of the Board. Quorum

(2) One-half of the members of a panel of the Board constitutes a quorum of the panel. Idem

5.—(1) The Lieutenant Governor in Council shall appoint a member of the Board to be its chairperson and may appoint one or more other members as vice-chairpersons. Chairperson and vice-chairperson

(2) The chairperson shall assign members of the Board to its various sittings. Chairperson

(3) The vice-chairperson shall perform such duties as may be assigned to him or her under this Act and, if the chairperson is unable to act, the vice-chairperson may act as chairperson. Vice-chairperson

(4) If there is more than one vice-chairperson, the chairperson may designate one of them to act in the absence of the chairperson. Idem

(5) The chairperson may designate one or more members of the Board to sit as a panel and may direct the panel to conduct any hearing or to authorize any inquiry, investigation or other proceeding that the Board itself could conduct or authorize. Panels

(6) Despite subsection (5), the chairperson shall not appoint less than three members of the Board to a panel that conducts an industry-wide hearing. Idem

6.—(1) If a member of the Board for any reason ceases to be a member, he or she may, with the consent of the chairperson, in connection with any matter in which the member participated as a member of the Board, carry out and complete any duties and responsibilities and exercise any powers that he or she would have had had he or she not ceased to be a member of the Board. Completion of matters by members who resign or retire, etc.

Completion
of matters
where
member not
able to
continue

(2) Despite subsection 4 (2), if a member of the Board for any reason is unable to carry out and complete his or her duties, the Board and every panel of which he or she was a member may carry out and complete any duties and responsibilities and exercise any powers that it would have had had the member been able to carry out and complete his or her duties.

Staff

R.S.O. 1980,
c. 418

7.—(1) Such employees as are required for the purposes of the Board may be appointed under the *Public Service Act*.

Professional
assistance

(2) The Board may engage persons other than those appointed under subsection (1) to provide professional, technical or other assistance to the Board and may establish the duties and terms of engagement and provide for the payment of the remuneration and expenses of such persons.

Immunity

8.—(1) No action or other proceeding for compensation or damages shall be instituted against the Board, its members or employees or persons appointed under subsection 7 (2) for any act done in good faith in the performance or intended performance of any duty or in the exercise or intended exercise of any power under this Act or the regulations or for any neglect or default in the performance or exercise in good faith of such duty or power.

Crown
liability

R.S.O. 1980,
c. 393

(2) Despite subsections 5 (2) and (4) of the *Proceedings Against the Crown Act*, subsection (1) does not relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which it would otherwise be subject.

Testimony in
civil
proceedings

(3) Except with the consent of the Board, no member or employee of the Board and no person appointed under subsection 7 (2) shall be required to testify in any civil proceeding, in any proceeding before the Board or in any proceeding before any other tribunal respecting information obtained in the discharge of his or her duties or while acting within the scope of his or her employment under this Act.

Annual
report

9.—(1) The Board shall at the close of each fiscal year file with the Minister an annual report upon the affairs of the Board.

Further
reports

(2) The Board shall make such further reports and provide the Minister with such information as the Minister from time to time requires.

(3) The Minister shall submit the reports to the Lieutenant Governor in Council and lay them before the Assembly if it is in session or, if not, at the next session. Tabling of reports

10.—(1) All expenses incurred and expenditures made by the Board in the conduct of its affairs shall, until the 31st day of March, 1988, be paid out of the Consolidated Revenue Fund and thereafter shall be paid out of the moneys appropriated therefor by the Legislature. Moneys

(2) The Lieutenant Governor in Council may assess all insurers with respect to any of the amounts appropriated under subsection (1) and not otherwise recovered and an insurer shall pay the amount assessed against it. Assessment of insurers

(3) Where an assessment is made under subsection (2), the share of a particular insurer shall be in the same proportion as the total gross premiums written by the insurer in Ontario for automobile insurance in its last preceding fiscal year bears to the total of all gross premiums written by all insurers in Ontario for automobile insurance in the last preceding fiscal year of each. Idem

11.—(1) The Board shall adopt the most expeditious method of determining the questions on the merits arising in any proceeding. Expeditious procedures

(2) The Board shall give adequate public notice of its hearings to the public. Notice of proceeding

(3) The Board shall give notice of an industry-wide hearing to every insurer. Idem

(4) The Board shall give notice of its hearings to the Superintendent. Idem

(5) The parties to proceedings before the Board are, Parties

(a) in the case of a review under section 24, the Facility Association and such other persons as give the Board written notice of their intention to participate as parties; and

(b) in any other case, the applicant, if any, and such other persons as give the Board written notice of their intention to participate as parties.

(6) Where an unincorporated association gives written notice of its intention to participate as a party to a proceeding before the Board, it shall thereafter be deemed to be a person Unincorporated association to be deemed a person

for the purposes of the proceeding and it may be a party in its own name.

Common
interest

(7) Where two or more parties have a common interest in respect of an application to the Board, the parties may authorize one or more of those parties to represent all of them and any order made by the Board may be made applicable to all.

Representa-
tion of
Superin-
tendent

(8) The Superintendent, as a party or otherwise, is entitled at any time, by counsel or otherwise, to take part in proceedings before the Board or to take part in appeals from any order of the Board whether or not the Superintendent appeared at any hearing or portion of a hearing.

Powers and
duties of
Board

12.—(1) The Board may exercise such powers and shall perform such duties as are necessary to carry out its functions under this Act and without restricting the generality of the foregoing, it may,

- (a) make rules for the conduct and management of its affairs and for the practice and procedure to be observed in matters before it;
- (b) determine, with respect to any particular hearing, what constitutes adequate public notice;
- (c) before or during a hearing, conduct any inquiry or inspection it considers necessary;
- (d) if, in its opinion, additional information is required by the Board, order an insurer or insurers' association or the Facility Association to provide the information in the possession of the insurer, insurers' association or Facility Association, as the case may be;
- (e) authorize any person, herein referred to as an inspector, to enter any place where an insurer or insurers' association or the Facility Association carries on business or keeps documents or things relating directly or indirectly to automobile insurance and to examine documents and things of the insurer, insurers' association or Facility Association, as the case may be, and make such inquiries as may be relevant;
- (f) require an insurer or insurers' association or the Facility Association, to provide print-outs of any documents or other information stored by electronic

means unless the insurer, insurers' association or Facility Association, as the case may be, is able to provide to the Board a copy of the document or information in some other form that is acceptable to the Board; and

- (g) in determining any matter, consider any relevant information obtained by it in addition to evidence given at a hearing, if it first informs the persons taking part in the proceedings of the additional information and gives them an opportunity to explain or refute it.

(2) Every insurer, every insurers' association and the Facility Association and their respective directors, officers and employees shall give all reasonable assistance to an inspector and shall answer all proper questions relating to the inquiry. Assistance

(3) An inspector for the purposes of carrying out his or her duties, Powers of inspector

- (a) may enter any place described in clause (1) (e);
- (b) may request the production for inspection of documents or things that may be relevant to the carrying out of the examination or inquiry;
- (c) upon giving a receipt therefor, may remove from a place documents or things produced pursuant to a request under clause (b) for the purpose of making copies or extracts and shall promptly return them to the person who produced them; and
- (d) may question a person on matters that are or may be relevant to the carrying out of the examination or inquiry subject to the person's right to have counsel or some other representative present during the questioning.

(4) A person shall not exercise a power of entry conferred by this Act to enter a place that is being used as a dwelling without the consent of the occupier except under the authority of a warrant issued under this section. Entry to dwellings

(5) Where a justice of the peace is satisfied on evidence upon oath that there are in a place documents or things that there is reasonable ground to believe will afford evidence relevant to the carrying out of an examination or inquiry under this Act, the justice of the peace may issue a warrant in the prescribed form authorizing the person named in the warrant Warrant for search

to search the place for any such documents or things and to remove them for the purposes of making copies or extracts and they shall be returned promptly to the place from which they were removed.

Warrant for entry

(6) Where a justice of the peace is satisfied on evidence upon oath that there is reasonable ground to believe it is necessary that a place being used as a dwelling or to which entry has been denied be entered so that an inspector may carry out an examination or inquiry under this Act, the justice of the peace may issue a warrant in the prescribed form authorizing such entry by the person named in the warrant.

Execution and expiry of warrant

(7) A warrant issued under this section,

- (a) shall specify the hours and days during which it may be executed; and
- (b) shall name a date on which it expires, which date shall not be later than fifteen days after its issue.

Obstruction

(8) No person shall hinder, obstruct or interfere with an inspector in the execution of a warrant or otherwise impede an inspector in carrying out an inquiry.

Idem

(9) Subsection (8) is not contravened where a person refuses to produce documents or things, unless a warrant has been issued under subsection (5).

Admissibility of copies

(10) Copies of, or extracts from, documents and things removed from premises under this Act and certified by the person who made the copies as being true copies of, or extracts from, the originals are admissible in evidence to the same extent as, and have the same evidentiary value as, the documents or things of which they are copies or extracts.

Idem

(11) No document or thing or copy thereof or extract therefrom in the possession of an inspector shall be introduced in evidence in any proceeding before the Board unless the owner of the document or thing is first given notice of the intent to introduce it into evidence.

Orders

13.—(1) The Board shall determine matters before it by order.

Terms

(2) The Board may make an order subject to such conditions as are set out in the order.

Conditions precedent

(3) Without restricting the generality of subsection (2), the Board may provide in an order that the order does not come

into effect until the performance, to the satisfaction of the Board or of a person named by it for the purpose, of any conditions that the Board may impose.

(4) The Board may make interim orders pending the final decision of a matter before it, but no interim order shall be made that leads to an increase in a premium under a contract of automobile insurance unless the hearing on the matter has commenced.

Interim
orders

(5) Where, under subsection (4), the Board makes an interim order that leads to an increase in a premium under a contract of automobile insurance, and the final order of the Board leads to a decrease in the premium payable under the interim order, an insurer shall refund to its policyholder the amount of any premium overpayment retroactive to the day that the increase took effect under the interim order.

Insurers to
reimburse
policyholders

(6) An order of the Board shall be deemed to be sufficiently made if it is signed by a member or by an employee of the Board designated by the Board to sign orders on its behalf.

Making of
order

(7) The Board shall provide the Superintendent with a copy of every order made by it forthwith after making the order.

Copies of
orders

(8) The Board shall provide each insurer with a copy of every order that results from an industry-wide hearing forthwith after making the order.

Idem

14.—(1) The Board has exclusive jurisdiction to exercise the powers conferred upon it by or under this Act and to determine all questions of fact or law that arise in any matter before it and, subject to section 18, its action or decision thereon is final and conclusive for all purposes.

Exclusive
jurisdiction

(2) The Board may at any time, if it considers it advisable to do so, reconsider any order or decision made by it and confirm, vary or revoke the order or decision and in reconsidering any order or decision, it may restrict the reconsideration to such issues as it considers appropriate.

Reconsider-
ation of
decisions,
etc.

15. Upon payment of the prescribed fee, if any, any person, during the normal office hours of the Board, may,

Access to
information

- (a) examine material filed with the Board for the purpose of a hearing;
- (b) examine rates filed with the Board by an insurer;

(c) examine a copy of any decision, order or reasons made or given by the Board; and

(d) obtain copies of any such material, rates, decision, order or reasons.

Costs **16.**—(1) The costs of and incidental to any proceeding before the Board are in its discretion and may be fixed in any case at a sum certain or may be assessed.

Idem (2) The Board may order by whom and to whom any costs are to be paid and by whom they are to be assessed and allowed.

Idem (3) The Board may establish a scale under which such costs shall be assessed.

Idem (4) Costs awarded under this section may include the costs of the Board, regard being had to the time and expenses of the Board.

Stated case **17.**—(1) The Board may, at the request of the Minister, or of its own motion, or upon the application of any party, and upon such security being given as it directs, state a case in writing for the opinion of the Divisional Court upon any question that, in the opinion of the Board, is a question of law.

Idem (2) The Divisional Court shall hear and determine the stated case and remit it to the Board with the opinion of the Court thereon.

Appeal to Divisional Court **18.**—(1) An appeal lies to the Divisional Court from any order of the Board upon a question of law or jurisdiction, but no such appeal lies unless leave to appeal is obtained from the Court within thirty clear days of the making of the order sought to be appealed from or within such further time as the Court under the special circumstances of the case allows.

Board and Superintendent may be heard (2) The Board and the Superintendent are entitled to be heard by counsel or otherwise upon the argument of any such appeal.

Board to act (3) The Divisional Court shall certify its opinion to the Board and the Board shall make an order in accordance with such opinion, but in no case shall such order be retroactive in its effect.

Not liable for costs (4) The Board is not liable for costs in connection with any appeal or application for leave to appeal under this section.

(5) An order of the Board takes effect at the time set out in the order, and its operation is not suspended by an appeal unless the Court otherwise orders. No stay

PART II

RATE AND DIVIDEND REVIEW

19.—(1) The Lieutenant Governor in Council may prescribe the classes of risk exposures that may be considered in determining the premiums for coverages for different categories of automobile insurance and the procedures to be followed in assigning insureds and vehicles to any such class of risk exposure. Classes of risk exposure

(2) Subsection (1) is amended on a day to be named by proclamation of the Lieutenant Governor by striking out “Lieutenant Governor in Council” in the first line and inserting in lieu thereof “Board, by order, following an industry-wide hearing”. Amendment

20.—(1) Upon classes of risk exposure being prescribed for a category of automobile insurance, the Board, following an industry-wide hearing, shall set a rate or range of rates with respect to each such class of risk exposure. Premium rates to be set by Board

(2) The Board may hold industry-wide hearings to review any rates or range of rates set by it and following such a hearing may vary any such rate or range of rates. Review

(3) A rate or range of rates set by the Board may be expressed in dollar terms or in such other manner as the Board considers appropriate so that a person may determine the rate or range of rates for each class of risk exposure. Expression of rates

(4) In setting a rate or range of rates, the Board shall set a rate or range of rates that in the opinion of the Board is just and reasonable and not excessive or inadequate. Fair rates

(5) An industry-wide hearing shall be on the motion of the Board or on request of the Minister. Hearing

(6) The Board in its discretion may consider at any one hearing the rate or range of rates for such class or classes of risk exposure for such category or categories of automobile insurance as it considers appropriate. Idem

(7) In determining rates or ranges of rates, the Board may consider any financial or other matter directly or indirectly affecting rates. Scope

Publication
of proposals

(8) The Board may, for the purposes of an industry-wide hearing, publish proposed rates or ranges of rates prepared by such person or persons as may be designated by the Board for any class or classes of risk exposures for any category or categories of automobile insurance and the Board shall make copies thereof available to the public without charge.

Response of
public

(9) The Board shall establish a procedure to give notice to the public of proposed rates or ranges of rates and to receive written submissions from the public in lieu of or in addition to any participation in a hearing.

Pre-hearing

(10) Before the commencement of an industry-wide hearing, the Board, after giving the parties an opportunity to be heard, may identify the issues that in its opinion are to be determined at the industry-wide hearing.

Effective
date

(11) A rate or range of rates set by the Board takes effect 120 days after the Board makes its order setting the rate or range of rates unless the Board otherwise orders.

Idem

(12) Despite subsection (11), an insurer may, by notice in writing to the Board, decide that the rate or range of rates set by the Board takes effect with respect to it on such day that is at least sixty days and less than 120 days after the Board's order as may be set out in the notice.

Revocation
of approved
rates

(13) If the Board under subsection (2) establishes a new rate or range of rates, all approvals of rates previously given under sections 22, 23 and 24 for that class of risk exposure shall be deemed to be revoked on the day the new rate or ranges of rates takes effect.

Amendment

(14) Subsection (2) is repealed on a day to be named by proclamation of the Lieutenant Governor and the following substituted therefor:

Review

(1a) The Board may hold industry-wide hearings for the purpose of reviewing either or both the classes of risk exposure for different categories of automobile insurance and the rates or ranges of rates set by it.

Variation of
rates

(2) Following an industry-wide hearing at which a rate or range of rates set by it is considered, the Board may vary the rate or range of rates and where classes of risk exposure are considered, it may vary the classes.

and on that day the following subsection is added to this section:

(5a) Any person may apply to the Board for changes in the classes of risk exposure, and where the Board, in its absolute discretion, is of the opinion that it would be in the public interest to consider the proposed changes, the Board shall hold an industry-wide hearing to review the proposed changes in the classes of risk exposure and the rates or ranges of rates with respect to the changes in the classes of risk exposure. Idem

(15) An industry-wide hearing commenced before the date named in the proclamation under subsection (14) shall be completed and the Board may make orders following the hearing as if this section had not been amended by that subsection. Transitional

21.—(1) Unless otherwise permitted under this Act, no insurer shall, Prohibition

(a) determine rates for any category of automobile insurance except on the basis of the prescribed classes of risk exposure for that category; or

(b) charge any rate other than,

(i) a rate that has been approved by the Board under section 22 or 23 in relation to that insurer, or

(ii) a rate that may be charged under the Plan of Operation of the Facility Association under the *Compulsory Automobile Insurance Act* where the contract has been submitted to the insurer under that Act.

R.S.O. 1980,
c. 83

(2) Subsection (1) does not apply to an insurer with respect to a particular category of automobile insurance until the rates or ranges of rates with respect to the prescribed classes of risk exposure for that category have been set by the Board and have taken effect. Application

(3) Where an insurer writes contracts of automobile insurance that are not within a category of automobile insurance for which the rates or ranges of rates have been set under section 20, the insurer shall not charge any rate in respect of a coverage under such a contract that exceeds,

Prohibition,
transitional

(a) the capped rate for the coverage where no order has been made under this section; or

(b) the rate set out in an order made under this section where such an order has been made.

Rates, transitional

(4) An insurer may apply to the Board for an order to increase any of its capped rates in respect of coverages referred to in subsection (3) and the Board may approve the increase if the insurer demonstrates that,

- (a) the circumstances of the insurer justify the increase; and
- (b) the resulting rate is just and reasonable and not excessive.

Idem

(5) The Board, in lieu of approving an increase of a capped rate, may reject or vary the rates proposed by the applicant having regard to the criteria set out in clauses (4) (a) and (b) and, if it is of the opinion that a capped rate that is the subject of the application is excessive, it may reduce the capped rate.

Increase of capped rates

(6) Where permitted by the regulations, an insurer may increase its capped rates by an amount that does not exceed the prescribed percentage.

New insurers and coverages

(7) Where an insurer was not providing a coverage on the 23rd day of April, 1987 but subsequently provides the coverage, the capped rate for the coverage is,

- (a) with respect to a coverage described in clause (a) of the definition of "capped rate" in subsection (8), the premium that would have been charged for the coverage for comparable risks for a term commencing on the 23rd day of April, 1987 had the premium been calculated using the Facility Association rate in effect on that date; and
- (b) with respect to a coverage described in clause (b) or (c) of the said definition, 90 per cent of the premium described in clause (a) of this subsection.

Definitions

(8) In this section,

"capped rate" means,

- (a) in the case of any coverage under a contract of automobile insurance, other than a coverage provided through the Facility Association or a coverage to which clause (b) or (c) applies, the lesser of,
 - (i) the premium that would have been charged for the coverage for comparable risks for a term commencing on the 23rd day of April, 1987 had the premium been calculated using

the rules, procedures and factors used by the insurer on that date, and

- (ii) the premium that would have been charged for the coverage for comparable risks for a term commencing on the 23rd day of April, 1987 had the premium been calculated using the Facility Association rate in effect on that date,
- (b) in the case of a premium for any coverage determined in whole or in part on the basis that an insured under the contract is a male under the age of twenty-five years,
 - (i) 90 per cent of the premium described in subclause (a) (ii) if the insured is insured through the Facility Association,
 - (ii) 90 per cent of the lesser of the premiums described in subclauses (a) (i) and (ii) if the insured is not insured through the Facility Association,
- (c) in the case of a premium for any coverage determined in whole or in part on the basis that an automobile insured under the contract is a taxi, the lesser of,
 - (i) the premium described in subclause (a) (i), and
 - (ii) 90 per cent of the premium described in subclause (a) (ii);

“Facility Association rate” means the premium for a coverage determined under the Plan of Operation of the Facility Association under the *Compulsory Automobile Insurance Act*; R.S.O. 1980, c. 83

“insured” means an insured as defined in section 201 of the *Insurance Act*. R.S.O. 1980, c. 218

(9) A reference in this section to “capped rate” shall be deemed to include a reference to a capped rate as determined by the Board under subsections (4) and (5) and to a capped rate as increased under subsection (6). Idem

22.—(1) An insurer that intends to charge the rate set under section 20 or a rate within the range of rates set under Approval of rates

that section for a class of risk exposure shall apply to the Board for approval of the rate it intends to charge.

Timing

- (2) An application shall be made under subsection (1),
- (a) within thirty days of an order being made under section 20 setting a rate or range of rates;
 - (b) before varying any rate previously approved by the Board, where the rate, when varied, will be within the range of rates set out under section 20; and
 - (c) before entering any contract of automobile insurance with respect to which a rate or range of rates has been set under section 20, where the insurer was not writing contracts that covered that class of risk exposure at the time the rate or range of rates was set.

Statutory declaration

(3) An application under subsection (1) shall be accompanied by the statutory declaration of an officer of the insurer declaring that the proposed rate is the same as the rate set by the Board or is within the range of rates set by the Board, as the case may be.

Extension of time

(4) On the application of the insurer made not less than three days that are not a Saturday or holiday before the expiry of the thirty-day period referred to in clause (2) (a), the Board may extend the period for a period not exceeding thirty days.

Idem

(5) Where an application is received under subsection (4), the Board shall be deemed to have approved the application unless it holds a hearing in respect of the application before the expiry of the thirty-day period referred to in clause (2) (a).

Late filing

(6) The Board shall accept applications received by it under subsection (1) after the expiry of a limitation period prescribed by this section but such acceptance does not relieve an insurer from prosecution under this Act.

Approval

(7) An application under subsection (1) shall be deemed to have been approved by the Board twenty days after its filing unless the Board within that twenty-day period advises the applicant orally or otherwise that it has not approved the application because the Board is of the opinion that the rate is not the same as the rate set by the Board under section 20 or within the range of rates set under that section.

(8) Where the Board advises an applicant orally that it has not approved an application under subsection (1), it shall forthwith mail a written notice to the insurer confirming that fact. Idem

(9) Where the Board notifies an insurer that it has not approved an application under subsection (1), it shall hold a hearing. Hearing

(10) Although an application may be deemed to have been approved under subsection (7), if the Board is subsequently of the opinion that the rate is not the same as the rate set under section 20 or within the range of rates set under that section, the Board shall hold a hearing into the matter. Idem

(11) Following a hearing under subsection (9) or (10), the Board may approve the application or it may vary the rate to the rate set under section 20 or to a rate within the range of rates set under that section and the rate as so varied shall be deemed to be a rate approved under this section. Powers of Board

(12) The Board may waive public notice with respect to a hearing under this section. Public notice may be waived

23.—(1) Where an insurer wishes to charge a rate for a class of risk exposure other than a rate to which section 22 applies, the insurer shall apply to the Board for approval of the rate. Rates outside range

(2) Except as provided in subsections (3) and (5), the Board shall hold a hearing with respect to applications under subsection (1). Hearing required

(3) Where all of the rates included in an application under subsection (1) are below the rates or ranges of rates set under section 20, the application shall be deemed to have been approved by the Board thirty days after its filing, unless the Board within that thirty-day period advises the applicant orally or otherwise that it has not approved the application because the Board is of the opinion that, Exception

(a) it is in the public interest to hold a hearing on the application; or

(b) the Board does not have sufficient information upon which to make a decision concerning the application.

(4) Where the Board advises an applicant orally that it has not approved an application referred to in subsection (3), it Idem

shall forthwith mail a written notice to the insurer confirming that fact.

Filing of
additional
information

(5) Where the Board advises an applicant that it has not approved an application referred to in subsection (3) because of insufficient information, the Board in its discretion may permit the insurer to file additional information within a specified period and it may extend the thirty-day period accordingly.

Powers of
the Board

(6) Following a hearing required by this section, the Board may approve the application or it may reject or vary the proposed rate and the rate so varied shall be deemed to be a rate approved under this section.

Public notice
may be
waived

(7) The Board may waive public notice with respect to a hearing under this section.

Fair rates

(8) Where an insurer applies for the approval of any rate under this section, the insurer must demonstrate that the proposed rate is just and reasonable and not excessive or inadequate and that the circumstances of the insurer justify the use of the proposed rate.

Rates
pending
decision

(9) Despite subsection 20 (13), where an application is made under this section, the insurer, until the Board makes its decision with respect to the application, may continue to charge the rate for the class of risk exposure to which the application relates that it was charging immediately before the application was filed with the Board or it may charge a lower rate.

Idem

(10) Where the rate approved by the Board under this section is less than the rate charged by the insurer, as permitted by subsection (9), the Board's approval may be made retroactive to the date the application was filed with the Board or such later date as the Board may determine and, if the order is retroactive, the insurer shall reimburse its policyholders for any excess of premiums.

Facility
Association
rates

24.—(1) Subject to subsection (12) but despite any other provision of this Act or the regulations, the Facility Association shall not promulgate any rate in respect of contracts of automobile insurance provided under the Plan of Operation under the *Compulsory Automobile Insurance Act* that has not been set or approved by the Board under this section.

R.S.O. 1980,
c. 83

Idem

(2) The Facility Association shall apply to the Board for approval of rates prepared by it under section 10 of the *Compulsory Automobile Insurance Act*.

(3) The Board of its own motion may, and at the request of the Minister shall, review rates in respect of contracts of automobile insurance provided under the Plan of Operation under the *Compulsory Automobile Insurance Act* and, following a hearing, may set rates that it considers to be just and reasonable and not excessive or inadequate in respect of such contracts.

Idem

R.S.O. 1980,
c. 83

(4) Where a rate or range of rates is set under section 20 for a class of risk exposure, all rates in respect of that class promulgated by the Facility Association before the coming into force of this section or set under subsection (3) shall be deemed to be revoked on the day the rate or range of rates takes effect.

Revocation
of rates

(5) Where a rate will be revoked under subsection (4) or an approval will be revoked under subsection 20 (13), the Facility Association, within thirty days of an order being made under section 20 setting a rate or range of rates, shall prepare and apply to the Board for approval to promulgate a rate that,

Approval of
rates

(a) is the rate set under section 20 or is a rate within the range of rates set under that section; or

(b) is not a rate to which clause (a) applies.

(6) The Facility Association may at any time apply to the Board for the variation of any rate previously promulgated by it.

Idem

(7) Subsections 22 (3) to (12) apply with necessary modifications to the approval of a rate to which clause (5) (a) applies.

Procedures
and powers
of Board

(8) Where an application is made under this section and subsections 22 (3) to (12) do not apply to the application,

Idem

(a) the Facility Association must demonstrate that the proposed rate is just and reasonable and not excessive or inadequate;

(b) the Board may approve, reject or vary the proposed rate.

(9) Despite subsection 20 (13), if the Facility Association makes an application under clause (5) (b) or applies to vary a rate approved in an application under clause (5) (a) so that the rate will no longer be the rate set under section 20 or within the range of rates set under that section, the rates for the class of risk exposure to which the application relates that

Rates
pending
decision

were in effect under the Plan of Operation immediately before the application continue in effect until the Board makes its decision.

Idem (10) Where the Facility Association makes an application described in subsection (8) and the Board approves a rate that is less than the rate continued in effect under subsection (9), the Board's approval may be made retroactive to the date the application was filed with the Board or such later date as the Board may determine and, if the order is retroactive, an insurer shall reimburse its policyholders for any excess of premiums.

Promulgation (11) The Facility Association shall promulgate rates set or approved under this section forthwith after they are approved or set.

Existing rates
R.S.O. 1980,
c. 83 (12) Subject to subsection (4), rates promulgated by the Facility Association under section 10 of the *Compulsory Automobile Insurance Act* before the coming into force of the section continue in force until they are varied in accordance with this section.

Dividends **25.—**(1) No insurer shall issue a dividend in respect of a contract of automobile insurance unless the dividend has been approved by the Board.

Power of Board (2) Where an application is made under this section, the Board may approve, reject or vary the proposed dividend.

Matters to be considered (3) Where an insurer applies for the approval of a dividend under this section, the insurer must demonstrate that the proposed dividend is just and reasonable and not excessive and that the circumstances of the insurer justify the proposed dividend.

Hearing not required (4) The Board may dispense with a hearing with respect to an application under this section.

PART III

ENFORCEMENT, REGULATIONS AND MISCELLANEOUS

Offences and penalties **26.—**(1) Every person who contravenes or fails to comply with this Act, the regulations or an order of the Board is guilty of an offence and on conviction is liable to a fine of not more than \$25,000, in the case of an individual, and not more than \$100,000, in any other case.

(2) If a corporation or the Facility Association contravenes or fails to comply with this Act, the regulations or an order of the Board, every officer or director thereof who authorizes, permits or acquiesces in the contravention is a party to and guilty of the offence and, on conviction, is liable to the penalty provided for the offence whether or not the corporation or Facility Association, as the case may be, has been prosecuted or convicted. Parties

(3) No prosecution for an offence under this Act shall be instituted except with the consent in writing of the Board. Consent

(4) No proceeding for an offence under this Act shall be commenced in any court more than two years after the facts upon which the proceedings are based first came to the knowledge of the Board. Limitation period

27.—(1) The Superintendent, with the approval of the Lieutenant Governor in Council, may issue policy statements on matters related to categories of automobile insurance, classes of risk exposure and automobile insurance rates and dividends. Policy statements

(2) A policy statement takes effect on the day it is published in *The Ontario Gazette*. When effective

(3) In making orders under this Act, the Board shall have regard to the policy statements issued under this section. Effect of statements

28. The Lieutenant Governor in Council may require the Board to examine and report on any question related to automobile insurance that, in the opinion of the Lieutenant Governor in Council, requires a public hearing. References

29.—(1) The Lieutenant Governor in Council may make regulations, Regulations

- (a) prescribing classes of risk exposure and categories of automobile insurance for the purposes of this Act;
- (b) prescribing types of contracts of automobile insurance and types of endorsements to contracts of automobile insurance to which Part II applies;
- (c) prescribing procedures to be followed in assigning insureds and vehicles to a class of risk exposure;

- (d) prescribing the manner of gathering statistics and other information in relation to automobile insurance;
- (e) prescribing information to be filed with the Board by insurers and insurers' associations and the Facility Association, the time or times at which the information is to be filed and requiring that the accuracy of the information be certified by an actuary or an accountant as may be appropriate;
- (f) prescribing fees payable with respect to proceedings before the Board and with respect to the fees referred to in section 15;
- (g) exempting insurers from the requirements of Part II in respect of such categories of automobile insurance, such coverages or such classes of risk exposure as may be set out in the regulations;
- (h) permitting insurers to increase their capped rates as defined in subsection 21 (8) by such percentage as is set out in the regulations;
- (i) prescribing forms including affidavits and statutory declarations and providing for their use;
- (j) authorizing the Board, following a hearing by the Board, to approve risk management programs for one or more policyholders within such class or classes of policyholders as may be named in the regulations.

Idem

(2) A regulation made under clause (1) (h) may be made retroactive to the 1st day of January, 1988.

Amendments

(3) On a day to be named by proclamation of the Lieutenant Governor,

- (a) subsection (1) is amended by striking out clauses (a), (b), (c), (g) and (h); and
- (b) subsection (2) is repealed and the following substituted therefor:

Idem

(1a) The Board, by order, may make regulations,

- (a) prescribing classes of risk exposure and categories of automobile insurance for the purposes of this Act;

- (b) prescribing procedures to be followed in assigning insureds and vehicles to a class of risk exposure;
- (c) prescribing types of contracts of automobile insurance and types of endorsements to contracts of automobile insurance to which Part II applies;
- (d) exempting insurers from the requirements of Part II in respect of such categories of automobile insurance, such coverages or such classes of risk exposure as may be set out in the regulations.

(2) Regulations made under clauses (1) (a), (b), (c) and (g), and section 19, as they read before the coming into force of this subsection, continue in force until remade or revoked by the Board. Transitional

30.—(1) The *Regulations Act* does not apply to rules made under clause 12 (1) (a) or to orders of the Board. Non-application of R.S.O. 1980, c. 446

(2) A regulation made by the Board under section 19 or 29 does not come into force until it is published in *The Ontario Gazette* or until such date following the publication as is set out in the regulation. Publication required

(3) Subsection (2) comes into force on the day named in the proclamation under subsection 29(3). Commencement

31. In the event of conflict between this Act and any other Act, except the *Human Rights Code, 1981*, this Act prevails. Conflict with other Acts 1981, c. 53

32.—(1) Subsections 10 (3) to (13) of the *Compulsory Automobile Insurance Act*, being chapter 83 of the *Revised Statutes of Ontario, 1980*, are repealed and the following substituted therefor:

(3) The Association may prepare rates in respect of contracts provided under the Plan. Rates

(4) Rates prepared under subsection (3) do not come into effect until approved by the Ontario Automobile Insurance Board. Idem

(2) Clause 15 (d) of the said Act is repealed.

33.—(1) No insurer shall differentiate or make a distinction, exclusion or preference in a contract of automobile insurance on the basis of age, sex, marital status, family status or handicap. Prohibition against discrimination

Commence-
ment

(2) Subsection (1) comes into force on the day named in the proclamation under subsection 29(3).

Commence-
ment

34. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

35. The short title of this Act is the *Ontario Automobile Insurance Board Act, 1988*.

CHAPTER 19

**An Act to amend the
Municipality of Metropolitan Toronto Act**

Assented to February 11th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of the *Municipality of Metropolitan Toronto Act*, being chapter 314 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1984, chapter 18, section 1, is further amended by adding thereto the following clauses:

(ga) “local ward” means a ward established for the purpose of electing a councillor or councillors to the council of an area municipality;

.

(ja) “metropolitan councillor” means a person described in clauses 5 (1) (b) to (g);

.

(ka) “metropolitan ward” means a ward established for the purpose of electing a metropolitan councillor to the Metropolitan Council.

(2) Clauses 1 (l) and (m) of the said Act are repealed and the following substituted therefor:

(l) “Minister” means the Minister of Municipal Affairs;

(m) “Ministry” means the Ministry of Municipal Affairs.

2.—(1) Subsection 5 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 18, section 2, is repealed and the following substituted therefor:

(1) The Metropolitan Council shall be composed of,

Composition
of
Metropolitan
Council

- (a) the head of council of each area municipality;
- (b) one person elected by the electors of the area municipality of the Borough of East York;
- (c) four persons elected by the electors of the area municipality of the City of Etobicoke;
- (d) seven persons elected by the electors of the area municipality of the City of North York;
- (e) six persons elected by the electors of the area municipality of the City of Scarborough;
- (f) eight persons elected by the electors of the area municipality of the City of Toronto; and
- (g) two persons elected by the electors of the area municipality of the City of York.

(2) Subsection 5 (2) of the said Act, as amended by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed.

(3) Subsection 5 (3) of the said Act, as re-enacted by the Statutes of Ontario, 1985, chapter 2, section 1, is repealed and the following substituted therefor:

Division into
metropolitan
wards

(3) Subject to subsection (4), and in accordance with section 5a, each area municipality shall be divided into a number of metropolitan wards equal to the number of metropolitan councillors provided for in subsection (1).

(4) Subsection 5 (4) of the said Act, as amended by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed and the following substituted therefor:

Deeming
provision

(4) The Borough of East York shall be deemed to be one metropolitan ward.

(5) Subsections 5 (5), (6), (7) and (8) of the said Act are repealed and the following substituted therefor:

Election by
ward

(5) One metropolitan councillor shall be elected by the electors of each metropolitan ward.

Time of
election,
term of
office

(6) The election of the metropolitan councillors as provided for in subsections (1) and (5) shall be held at the regular elections, and the metropolitan councillors so elected shall hold office for a three year term and until their successors are elected and the new Metropolitan Council is organized.

(7) A person is eligible to be elected a metropolitan councillor for an area municipality if he or she is eligible to be elected a member of the council of that area municipality under the *Municipal Elections Act*, or to be appointed to fill a vacancy in the office of a member so elected, but no person, except a head of the council of an area municipality, may be a member of the Metropolitan Council and the council of an area municipality at the same time.

Eligibility for
office of
metropolitan
councillor
R.S.O. 1980,
c. 308

3. The said Act is amended by adding thereto the following sections:

5a.—(1) Each area municipality shall, within thirty days of the date upon which this section comes into force, submit to the Minister a proposal with respect to the boundaries of the metropolitan wards, the number of local wards and their boundaries and the number of councillors to be elected from each local ward in that area municipality.

Proposal to
be submitted
to Minister

(2) The proposal of each area municipality shall be consistent with the criteria set out in subsections (4), (5) and (6).

Nature of
proposal

(3) After the expiration of the time for the submission of proposals by the area municipalities, the Minister shall submit to the Lieutenant Governor in Council a recommendation with respect to,

Minister to
submit
proposal to
Lieutenant
Governor in
Council

- (a) the boundaries to be established for metropolitan wards;
- (b) the number of local wards;
- (c) the boundaries to be established for local wards; and
- (d) the number of councillors to be elected from each local ward,

in each area municipality.

(4) The recommendation under subsection (3) shall provide for the establishment of,

Criteria for
recommen-
dation

- (a) the number of metropolitan wards in each area municipality that is equal to the number of persons to be elected to the Metropolitan Council from that area municipality under subsection 5 (1); and
- (b) such number of local wards in each area municipality as the Minister may recommend provided there

are not less than two local wards in any area municipality.

Boundaries
of local
wards

(5) Where the Minister recommends the establishment of a number of local wards in an area municipality that is equal to the number of metropolitan wards in that area municipality, the boundaries of the local wards shall be identical to the boundaries of the metropolitan wards in that area municipality.

Idem

(6) Where the Minister recommends the establishment of a number of local wards in an area municipality that is a multiple in whole numbers of the number of metropolitan wards in that area municipality, each local ward shall be located entirely within one metropolitan ward.

Number of
councillors
from each
local ward

(7) Subject to clause 152 (1) (b), the Minister shall recommend to the Lieutenant Governor in Council the number of councillors to be elected from the local wards in each area municipality.

Order

(8) Upon receipt of the recommendation of the Minister, the Lieutenant Governor in Council shall, by order, subject to subsections (4), (5), (6) and (7), establish in each area municipality,

- (a) the boundaries of the metropolitan wards;
- (b) the number of local wards;
- (c) the boundaries of the local wards; and
- (d) the number of councillors to be elected from each local ward.

Criteria for
different
recommendation

(9) Notwithstanding clause (4) (a), subsections (8), 5 (3) and 5 (5), the Minister may recommend, and the Lieutenant Governor in Council may establish, a number of metropolitan wards in an area municipality that is less than the number of persons to be elected to the Metropolitan Council from that area municipality under subsection 5 (1) if an equal number of persons are to be elected from each metropolitan ward in that area municipality.

Alteration of
metropolitan
wards by
O.M.B.
R.S.O. 1980,
c. 302

5b.—(1) Notwithstanding the *Municipal Act*, upon the application of an area municipality authorized by a by-law of the council thereof, or upon the petition of electors of that area municipality under section 13 of the *Municipal Act*, the Municipal Board may, after the 1st day of December, 1988,

by order, divide, redivide or alter any or all of the metropolitan wards within that area municipality.

(2) In making an order under subsection (1), the Municipal Board shall,

Contents of
order

- (a) establish in the area municipality a number of metropolitan wards equal to the number of metropolitan councillors to be elected from that area municipality;
- (b) have regard for the guidelines for the delineation of metropolitan wards established by the Minister;
- (c) designate the name or number each metropolitan ward shall bear; and
- (d) divide, redivide or alter any or all of the local wards in that area municipality in accordance with subsection 152b (2), and designate the name or number each local ward shall bear.

(3) An order made under subsection (1) shall come into effect on the 1st day of December in the year in which regular elections under the *Municipal Elections Act* occur but the regular elections held in that year shall be conducted as if the order was in effect.

Effective
date of order

R.S.O. 1980,
c. 308

(4) Where the Minister inquires into the structure, organization and methods of operation of one or more area municipalities or the Metropolitan Corporation, the Minister may give notice to the Municipal Board of such inquiry and that any application and any petition made under subsection (1) should be deferred until the inquiry has been completed and thereupon all proceedings in any such application or petition are stayed until the Minister gives notice to the Municipal Board that they may be continued.

Inquiry by
Minister

5c.—(1) At the first meeting of the Metropolitan Council in each year after a regular election at which a quorum is present, the Metropolitan Council shall organize as a council and elect as chairman a metropolitan councillor to hold office for the term of the council and until his or her successor is elected or appointed in accordance with this Act.

Election of
chairman

(2) The chairman may be elected by secret ballot if so decided by resolution of the Metropolitan Council.

Secret ballot

(3) The clerk of the Metropolitan Corporation shall preside at each such first meeting or, if there is no clerk, the members

Clerk to
preside

present shall select a member to preside, and the person so selected may vote as a member.

Adjournment

(4) If, at such first meeting after a regular election, a chairman is not elected, the presiding officer may adjourn the meeting and, if a chairman is not elected at any adjourned meeting held within one week after the first meeting, the Lieutenant Governor in Council shall appoint a metropolitan councillor as chairman to hold office for the term of the council and until his or her successor is elected or appointed in accordance with this Act.

4.—(1) Subsection 6 (1) of the said Act is amended by striking out “after the councils of the area municipalities have held their first meetings under subsection (2), but in any event” in the second, third and fourth lines.

(2) Subsections 6 (3) and (4) of the said Act are repealed and the following substituted therefor:

**Certification
of
election**

(3) Where a person is elected as a member of the Metropolitan Council or is elected or appointed as mayor of an area municipality, the clerk of the area municipality forthwith after the election or appointment, shall certify under the seal of the area municipality to the clerk of the Metropolitan Corporation the name of each person who has been so elected or appointed, and the person shall not take the seat on the Metropolitan Council to which the person has become entitled until the clerk of the Metropolitan Corporation has received such a certificate in respect of that person.

5. Subsection 8 (2) of the said Act is repealed and the following substituted therefor:

Votes

(2) Each member of the Metropolitan Council has only one vote.

6. Section 9 of the said Act is repealed and the following substituted therefor:

**Term of
office, heads
of council**

9. The members of the Metropolitan Council who are heads of council hold office while they hold the office that entitled them to such membership.

7.—(1) Subsection 10 (1) of the said Act is amended by striking out “person” in the third line and inserting in lieu thereof “metropolitan councillor”.

(2) Subsection 10 (2) of the said Act is repealed and the following substituted therefor:

(2) Where a vacancy occurs in the office of the chairman ^{Idem} who has been elected under subsection 5c (1), the Metropolitan Council shall, at a general or special meeting to be held within twenty days after the vacancy occurs, elect a chairman who shall be a metropolitan councillor to hold office for the remainder of the term of his or her predecessor.

(3) Subsection 10 (3) of the said Act is amended by striking out “person” in the third line and inserting in lieu thereof “metropolitan councillor”.

(4) Clause 10 (3c) (b) of the said Act, as enacted by the Statutes of Ontario, 1982, chapter 29, section 2, is amended by striking out “member of the council of an area municipality” in the first and second lines and inserting in lieu thereof “metropolitan councillor”.

(5) Subsection 10 (3e) of the said Act, as enacted by the Statutes of Ontario, 1982, chapter 29, section 2, is amended by striking out “or the council of the area municipality, as the case may be” in the third and fourth lines.

(6) Subsection 10 (4) of the said Act, as re-enacted by the Statutes of Ontario, 1985, chapter 2, section 2, is repealed and the following substituted therefor:

(4) Where a vacancy occurs on or before the 31st day of March of an election year, as defined in the *Municipal Elections Act*, in the office of a member who is a metropolitan councillor, ^{Vacancies R.S.O. 1980, c. 308}

(a) the Metropolitan Council shall appoint a person to fill that vacancy, and sections 45 and 47 of the *Municipal Act* apply with necessary modifications to the filling of every such vacancy; or ^{R.S.O. 1980, c. 302}

(b) the clerk of the area municipality for which the vacancy occurs shall hold an election to fill the vacancy in accordance with section 92 of the *Municipal Elections Act*,

as determined by by-law of the Metropolitan Council.

(4a) Where a vacancy occurs after the 31st day of March of an election year, as defined in the *Municipal Elections Act*, in the office of a member who is a metropolitan councillor, the Metropolitan Council shall fill every such vacancy and subsection 46 (3) of the *Municipal Act* applies with necessary modifications to the filling of the vacancy. ^{Idem}

(7) Section 10 of the said Act is amended by adding thereto the following subsection:

Where head
of council
incapacitated

(4b) In the event that the head of a council of an area municipality is for any incapacity unable to fulfil the duties as a member of the Metropolitan Council for a period exceeding one month, the council of the area municipality may by by-law appoint one of its members as an alternate representative to the Metropolitan Council who shall act in the place and stead of the head of council during the incapacity but no such by-law shall have effect for a period longer than one month from its effective date.

(8) Subsection 10 (5) of the said Act is repealed and the following substituted therefor:

Election
expenses

(5) The Metropolitan Corporation shall pay all reasonable expenses incurred by the area municipality with respect to the election under clause (4) (b).

Resignation
of chairman

(6) The chairman may resign his or her office by notice in writing filed with the clerk of the Metropolitan Corporation and the office then becomes vacant.

Vacancy
when council
not in session

(7) Where for any cause a vacancy occurs in the office of the chairman when the Metropolitan Council is not in session, the clerk of the Metropolitan Corporation shall forthwith notify the members of the vacancy and, if required in writing to do so by a majority of them, the clerk shall call a special meeting of the Metropolitan Council to fill the vacancy.

8. Section 11 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 29, section 3, 1984, chapter 18, section 3 and 1985, chapter 2, section 3, is repealed.

9. Section 13 of the said Act is repealed and the following substituted therefor:

Committees

13.—(1) The Metropolitan Council may establish standing or other committees, including an executive committee, and assign to them such duties as it considers expedient.

Chairman of
executive
committee

(2) Where the Metropolitan Council establishes an executive committee, the chairman of the Metropolitan Council shall be the chairman of and a member of such committee.

Delegation to
executive
committee

(3) If the Metropolitan Council establishes an executive committee, the Metropolitan Council may by by-law,

- (a) authorize the executive committee to exercise the powers set out in section 12 and subsection 97 (3); and
- (b) delegate authority to the executive committee under section 200.

10.—(1) Subsection 152 (1) of the said Act, as amended by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed and the following substituted therefor:

(1) The council of each area municipality shall be composed of a mayor elected by general vote who shall be the head of council and,

Composition
of council

- (a) if the area municipality has two or three wards, two or three councillors for each ward; or
- (b) if the area municipality has four or more wards, one, two or three councillors for each ward.

(2) Subsection 152 (2) of the said Act, as re-enacted by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed and the following substituted therefor:

(2) The council of each area municipality may establish standing or other committees and assign to them such duties as it considers expedient.

Committees

(3) Subsections 152 (3) and (4) of the said Act are repealed and the following substituted therefor:

(3) Notwithstanding sections 67 and 68 of the *Municipal Act*, no area municipality shall have a board of control.

No boards of
control
R.S.O. 1980.
c. 302

(4) Subsection 152 (5) of the said Act, as amended by the Statutes of Ontario, 1984, chapter 18, section 12, is repealed.

11. Section 152a of the said Act, as enacted by the Statutes of Ontario, 1985, chapter 2, section 4 and amended by the Statutes of Ontario, 1987, chapter 10, section 39, is repealed.

12. The said Act is further amended by adding thereto the following section:

152b.—(1) Notwithstanding the *Municipal Act*, upon the application of an area municipality authorized by a by-law of the council thereof, or upon the petition of the electors of that area municipality in accordance with section 13 of the *Muni-*

Alteration of
local wards
by O.M.B.

R.S.O. 1980.
c. 302

pal Act, the Municipal Board may, after the 1st day of December, 1988, by order,

- (a) divide or redivide the area municipality into two or more local wards and shall designate the name or number each local ward shall bear;
- (b) alter any or all of the local wards in the area municipality; or
- (c) subject to subsection 152 (1), vary the composition of the council of the area municipality,

provided that the mayor of the area municipality shall continue to be elected by a general vote of the electors of the area municipality, shall be the head of council of the area municipality, and shall be a member of the Metropolitan Council.

Contents of
order

(2) In making an order under subsection (1), the Municipal Board shall, subject to clause (1) (a),

- (a) establish in the area municipality a number of local wards equal to the number of metropolitan wards in that area municipality with the boundaries of the local wards being identical to the boundaries of the metropolitan wards in that area municipality; or
- (b) establish in the area municipality a number of local wards equal to a multiple in whole numbers of the number of metropolitan wards in that area municipality and divide or redivide each of the metropolitan wards into two or more local wards, as the case may be, but each local ward shall be located entirely within one metropolitan ward.

Effective
date of order

R.S.O. 1980,
c. 308

(3) An order made under subsection (1) shall come into effect on the 1st day of December in the year in which regular elections under the *Municipal Elections Act* occur but the regular elections held in that year shall be conducted as if the order was in effect.

Inquiry by
Minister

(4) Where the Minister inquires into the structure, organization and methods of operation of one or more area municipalities or the Metropolitan Corporation, the Minister may give notice to the Municipal Board of such inquiry and that any application and any petition made under subsection (1) should be deferred until the inquiry has been completed and thereupon all proceedings in any such application or petition

are stayed until the Minister gives notice to the Municipal Board that they may be continued.

13. Subsection 245 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 18, section 17, is amended by inserting after “78b” in the second line “96 (1)”.

14. Section 5a of the said Act, as enacted by section 3 of this Act, is repealed on the 1st day of December, 1988 but any order of the Lieutenant Governor in Council under section 5a remains valid until altered by an order of the Municipal Board under section 5b. Transitional
and repeal

15.—(1) This Act, except section 2, sections 4 to 11 and section 13, comes into force on the day it receives Royal Assent. Commence-
ment

(2) Section 2, sections 4 to 11 and section 13 come into force on the 1st day of December, 1988. Idem

(3) Notwithstanding subsection (2), the regular elections to be held in 1988 under the *Municipal Elections Act* in the area municipalities shall be conducted as if section 2, sections 4 to 11 and section 13 were in force. Idem
R.S.O. 1980,
c. 308

16. The short title of this Act is the *Municipality of Metropolitan Toronto Amendment Act, 1988 (No. 2)*. Short title

CHAPTER 20

An Act to amend the Municipal Elections Act and the Assessment Act

Assented to April 11th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

PART 1

MUNICIPAL ELECTIONS ACT

1.—(1) Paragraph 14 of section 1 of the *Municipal Elections Act*, being chapter 308 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

14. “enumeration” means the latest enumeration under the *Assessment Act*;

R.S.O. 1980,
c. 31

14a. “enumeration list” means the most recent list of electors prepared by the assessment commissioner under section 19.

(2) Paragraph 29 of section 1 of the said Act is repealed and the following substituted therefor:

29. “preliminary list” means an enumeration list of electors which has been corrected under section 23 and printed or reproduced under clause 24 (a).

2.—(1) Section 12 of the said Act, as amended by the Statutes of Ontario, 1985, chapter 4, section 3, is further amended by striking out “Wednesday in October that precedes polling day by nineteen” in the sixth line and inserting in lieu thereof “Monday in October that precedes polling day by twenty-eight”.

(2) The said section 12 is further amended by adding thereto the following subsection:

Deeming
provision

(2) A person whose name is on the preliminary list is deemed to be entitled to be an elector unless there is evidence to the contrary.

3.—(1) Section 13 of the said Act, as amended by the Statutes of Ontario, 1985, chapter 4, section 4, is further amended by striking out “Wednesday in October that precedes polling day by nineteen” in the sixth and seventh lines and inserting in lieu thereof “Monday in October that precedes polling day by twenty-eight”.

(2) The said section 13 is further amended by adding thereto the following subsection:

Deeming
provision

(2) A person whose name appears on the preliminary list is deemed to be entitled to be an elector unless there is evidence to the contrary.

4. Section 17 of the said Act, as re-enacted by the Statutes of Ontario, 1985, chapter 7, section 1, is amended by inserting after “clerk” in the first line “on or before the date prescribed by the Minister of Revenue under the *Assessment Act*”.

5. The heading immediately preceding section 19 of the said Act is amended by striking out “Preliminary” and inserting in lieu thereof “Enumeration”.

6. Section 19 of the said Act, exclusive of the clauses, is repealed and the following substituted therefor:

Enumeration
list

19. An assessment commissioner shall, on or before the 31st day of July in an election year, from the latest enumeration and from data received from other sources, compile for each polling subdivision in each municipality and locality in the assessment region an enumeration list containing the name and address of each person who meets the requirements for an elector under subsection 12 (1) or subsection 13 (1) and such list shall signify opposite the name of an elector,

7.—(1) Subsection 20 (1) of the said Act is amended by striking out “preliminary” in the third line and inserting in lieu thereof “enumeration”.

(2) Subsection 20 (2) of the said Act is amended by striking out “preliminary” in the second line and inserting in lieu thereof “enumeration”.

8.—(1) Subsection 21 (1) of the said Act is amended by striking out “preliminary” in the second line and inserting in lieu thereof “enumeration”.

(2) Subsection 21 (2) of the said Act is amended by striking out “preliminary” in the second line and inserting in lieu thereof “enumeration”.

9. Section 22 of the said Act is repealed and the following substituted therefor:

22.—(1) The assessment commissioner shall deliver the enumeration list to the clerk and, in respect of a locality, to the secretary of the school board on or before the 31st day of July in an election year.

Delivery of
enumeration
list

(2) At the written request of the clerk, the assessment commissioner may deliver the enumeration list in a format that will facilitate the use of mechanical or electronic means in the printing or reproduction of the list.

Idem

10. Section 23 of the said Act is amended by adding thereto the following subsections:

(2) The clerk or secretary, after making the corrections under subsection (1), shall establish the places where and fix the times when the list will be revised and notify the assessment commissioner of such places and times on or before the date prescribed by the Minister of Revenue under the *Assessment Act*.

Revision of
list

R.S.O. 1980.
c. 31

(3) On or before the 31st day of August in an election year, the assessment commissioner shall mail to each elector on the preliminary list, at the address shown in the list, a notice in the form prescribed by the Minister of Revenue under the *Assessment Act* stating the electoral status of such person and the places and times for the revision of the preliminary list.

Mailing of
notice of
electoral
status

(4) If there is more than one elector at any address, only one notice is required to be sent to that address.

One mailing
per address

11. Clause 24 (b) of the said Act is repealed.

12. Subsections 25 (2) and (3) of the said Act are repealed and the following substituted therefor:

(2) On the Tuesday following the first Monday in September, copies of the preliminary list under subsection (1) shall be posted, notice given under section 24 and the revision of the list commenced.

Time for
posting, etc.

Last day for
filing
applications
for revision

(3) The last day for filing applications for revision of the preliminary list shall be the day immediately preceding the twenty-eighth day before polling day and the applications may be filed with the clerk during normal office hours.

13. Section 30 of the said Act is repealed and the following substituted therefor:

Statement of
changes

30.—(1) Upon the determination of all applications for revision of the preliminary list filed on or before the last day for filing applications, the clerk shall compile a statement of changes to the list including deletions and additions.

Idem

(2) The statement shall set out the full name and address of each person who is the subject of the addition, change or deletion.

Distribution
of statement

(3) The clerk shall, on or before the twenty-eighth day before polling day, send a certified copy of the statement to each person specified in subsection 25 (5) and shall furnish two certified copies of the statement to every candidate for office.

14. Subsection 35 (1) of the said Act is amended by striking out "twenty-first" in the second line and inserting in lieu thereof "twenty-eighth".

15. Section 89 of the said Act is amended by adding thereto the following subsection:

Clerk to
forward
certain
documents
R.S.O. 1980,
c. 31

(3) After polling day, within the time prescribed by the Minister of Revenue under the *Assessment Act*, the clerk shall send to the assessment commissioner the certificates filed under subsection 33 (3) and the declarations taken under subsection 56 (1).

16. Subsections 92 (4) and (5) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 47, section 24, are repealed and the following substituted therefor:

Preliminary
list of
electors

(4) The preliminary list to be used for a new election shall be prepared as follows:

1. The clerk shall notify the assessment commissioner by registered mail of the requirement for a new election.
2. The assessment commissioner shall deliver to the clerk the enumeration list dated as of the date of the mailing of the notice.

3. Upon receipt of the enumeration list, the clerk, after making corrections under section 23, shall cause the list to be printed or reproduced, whereupon the list shall be the preliminary list.

(5) The preliminary list shall be posted in accordance with subsections 25 (1) and (2). Posting of list

(5a) The preliminary list is subject to revision for fifteen days before nomination day and sections 25 to 30 apply to the revision with necessary modifications. Revision of preliminary list

(5b) The requirements for the qualification of electors are the same as those set out in subsection 12 (1) or 13 (1) but electors may meet the requirements at any time during the fifteen days before nomination day. Qualifications

(5c) If a by-law or question is to be submitted to the electors at an election, other than a regular election, in compliance with an order of the Ontario Municipal Board given under subsection 132 (4) of the *Municipal Act*, unless the Board otherwise directs, Procedures

R.S.O. 1980,
c. 302

- (a) the clerk of the municipality shall set a date for polling day which shall be within sixty days of the effective date of the Board's order;
- (b) the clerk shall prepare, correct, print or reproduce and post the preliminary list in accordance with subsections (4) and (5);
- (c) the preliminary list shall be subject to revision for a period commencing twenty-one days after the effective date of the Board's order and ending thirty-six days thereafter; and
- (d) the period during which a person may qualify as an elector entitled to vote on the by-law or question shall be the period commencing thirty-four days after the effective date of the Board's order and ending on polling day.

PART II

ASSESSMENT ACT

17. Clause 2 (1a) (e) of the *Assessment Act*, being chapter 31 of the Revised Statutes of Ontario, 1980, as enacted by the Statutes of Ontario, 1984, chapter 28, section 1, is repealed and the following substituted therefor:

R.S.O. 1980,
c. 308

- (e) prescribing anything the Minister is permitted or required by this Act or by the *Municipal Elections Act* to prescribe.

18. Subsection 9 (2) of the said Act is amended by striking out “census” in the twelfth line and inserting in lieu thereof “enumeration”.

19. Subsection 10 (3) of the said Act is amended by striking out “census” in the fifth line and inserting in lieu thereof “enumeration”.

20. Subsection 13 (4) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 47, section 2, is amended by striking out “list prepared and revised by him” in the fifth line and inserting in lieu thereof “applications for the direction of school taxes received and approved by the assessment commissioner”.

21.—(1) Subsections 14 (1) and (2) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 47, section 3, are repealed and the following substituted therefor:

Enumeration

R.S.O. 1980,
c. 308

(1) The assessment commissioner shall, commencing on the 1st day of May and ending on the 30th day of June in each election year as defined in the *Municipal Elections Act* and in any other year in which the Minister considers it necessary, cause an enumeration to be taken of the inhabitants of each municipality and locality in the assessment region in the manner prescribed by the Minister and including such information as may be prescribed by the Minister.

Other
enumeration

(2) The assessment commissioner shall, at a time to be prescribed by the Minister, in each year in which an enumeration is not taken under subsection (1), cause an enumeration to be taken of the occupants of any domestic establishment that is,

- (a) used or intended to be used as a residence by the tenant or lessee;
- (b) separately assessed under this Act; and
- (c) contained in a building having not less than seven such domestic establishments,

and the enumeration shall include the information prescribed under subsection (1).

(2) Subsection 14 (3) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 47, section 3, is amended by

striking out “census” in the second line and in the third line and inserting in lieu thereof in each instance “enumeration”.

(3) Subsection 14 (4) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 47, section 3, is repealed and the following substituted therefor:

(4) The enumeration taken under this section shall be the enumeration referred to in the *Municipal Elections Act*. Enumeration for R.S.O. 1980, c. 308 purposes

(4) Section 14 of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 47, section 3, is amended by adding thereto the following subsections:

(5) The enumeration under this section shall be taken by, How enumeration to be taken

- (a) delivering or mailing a municipal enumeration form as prescribed by the Minister to the last known address of each inhabitant;
- (b) canvassing the premises of those inhabitants who have not completed and returned the notice delivered or mailed under clause (a) on or before the 15th day of May or such other day as the Minister may prescribe; and
- (c) such other means or in such other manner as the Minister may prescribe.

(6) The assessment commissioner shall update the information received on the last enumeration under subsection (1) or (2) with such further information as may come to the attention of the assessment commissioner. Update of information

(7) The assessment commissioner may cause to be delivered or mailed to the address of any person who is or may be assessed in respect of land, whether resident in the municipality or not, the form referred to in clause (5) (a). Delivery of notice

22.—(1) Subsection 15 (1) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 47, section 3, is amended by,

- (a) striking out “to the clerk of the municipality and” in the fifth line; and
- (b) striking out “second Tuesday of October in each year” at the end thereof and inserting in lieu thereof “30th day of September in each year”.

(2) Subsections 15 (2) to (6) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 47, section 3, are repealed and the following substituted therefor:

Preparation
of list

(2) Subject to subsection (3), the list referred to in subsection (1) shall be prepared on the basis of information contained in the enumeration, including updates thereto under subsection 14 (6), that has been completed by the assessment commissioner on or before the 30th day of September in that year.

Application
respecting
assessment
roll

(3) Any person may apply to the assessment commissioner to have that person's name included or altered in the assessment roll as a separate school supporter, if the person is a Roman Catholic, or a public school supporter and the assessment commissioner may make the addition or alteration.

Format of
list

(4) At the request of the secretary of the school board, the assessment commissioner may deliver the list referred to in subsection (1) in a format that will facilitate the use of mechanical or electronic means in the printing, reproduction or other use of the list.

Regulations

(5) The Minister may make regulations prescribing the forms and procedures to be used by a person applying to the assessment commissioner under subsection (3).

(3) Subsection 15 (7) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 47, section 3, is amended by striking out "subsection (6)" in the third line and inserting in lieu thereof "subsection (3)".

(4) Subsection 15 (8) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 47, section 3, is repealed and the following substituted therefor:

Delivery of
application
by
assessment
commissioner

(8) If the assessment commissioner approves an application under subsection (3), the assessment commissioner shall deliver a copy of the approved application to the secretary of each school board in the municipality or locality in which the applicant is entitled to direct taxes for school support.

(5) Subsections 15 (11) and (12) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 47, section 3, are repealed.

23. This Act comes into force on the day it receives Royal Assent. Commence-
ment

24. The short title of this Act is the *Municipal Elections Statute Law Amendment Act, 1988*. Short title

CHAPTER 21

An Act to provide for Construction Work in connection with the Toronto Economic Summit

Assented to April 28th, 1988

Whereas an economic summit meeting, herein called the Toronto Economic Summit, will be held in Toronto in June of 1988; and whereas it is in the public interest that certain facilities including security facilities required for the Toronto Economic Summit be constructed before its commencement; and whereas provincial agreements in the construction industry expire on the 30th day of April, 1988 and work stoppages may occur as a result thereof;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Terms in this Act that are defined in the *Labour Relations Act* have the same meaning as in the *Labour Relations Act*.

Interpretation
R.S.O. 1980,
c. 228

2.—(1) Despite the *Labour Relations Act* or any provision of a provincial agreement, each provincial agreement in operation on the 29th day of April, 1988 shall, for the purposes of carrying out construction work on the lands and premises described in the Schedule and required in connection with the Toronto Economic Summit, continue in operation until replaced by a new ratified provincial agreement or until the 30th day of June, 1988, whichever occurs first.

Provincial
agreements
to continue
re: Toronto
Economic
Summit to
continue
R.S.O. 1980,
c. 228

(2) Subsection (1) does not affect any provincial agreement except in respect of construction work on the lands and premises described in the Schedule and required in connection with the Toronto Economic Summit.

Limitation

(3) No strike or lock-out shall be called, authorized or take place in respect of construction work on the lands and premises described in the Schedule and required in connection with the Toronto Economic Summit.

No strikes or
lock-outs

Application
of R.S.O.
1980, c. 228

3. Subject to this Act, the *Labour Relations Act* applies to each provincial agreement continued by subsection 2 (1) and to the parties bound thereby in respect of construction work on the lands and premises described in the Schedule and required in connection with the Toronto Economic Summit.

Commence-
ment and
repeal

4. This Act comes into force on the day it receives Royal Assent and is repealed on the 30th day of June, 1988.

Short title

5. The short title of this Act is the *Toronto Economic Summit Construction Act, 1988*.

SCHEDULE

Those lands and premises in the City of Toronto in The Municipality of Metropolitan Toronto described as follows:

1. The lands and premises composed of the Simcoe Place Block, originally shown on the plan of the Town of York and which block is denominated by the letter C thereon and now designated as Part 1 on a plan deposited in the Land Registry Office for the Registry Division of Toronto as No. 63R-764.
2. The lands and premises composed of Parts 1, 2, 3, 4, 5, 6, 7 and 8 on a plan deposited in the Land Registry Office for the Registry Division of Toronto as Plan 66R-13575.

CHAPTER 22

An Act to amend the Rental Housing Protection Act, 1986

Assented to May 24th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 12 (2) of the *Rental Housing Protection Act, 1986*, being chapter 26, is amended by striking out “the 30th day of June, 1988” in the second and third lines and inserting in lieu thereof “the 30th day of June, 1989”.

2. Section 13 of the said Act is repealed and the following substituted therefor:

13. This Act, except subsection 12 (2), is repealed on the 30th day of June, 1989. Repeal

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment

4. The short title of this Act is the *Rental Housing Protection Amendment Act, 1988*. Short title

CHAPTER 23

An Act to amend the Regional Municipality of Waterloo Act and the Education Act

Assented to May 24th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 115 of the *Regional Municipality of Waterloo Act*, being chapter 442 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

115. In this Part,

Definitions

“commercial assessment” means the total, according to the last returned assessment roll, of,

- (a) the assessment of real property that is used as the basis for computing business assessment including the assessment for real property that is rented and occupied or used by the Crown in right of Canada or any province or any board, commission, corporation or other agency thereof, or by any municipal or regional corporation or local board thereof,
- (b) business assessment, and
- (c) the assessment for mineral lands, pipe lines and railway lands, other than railway lands actually in use for residential and farming purposes;

“public school board” means a public board as defined in paragraph 42a of subsection 1 (1) of the *Education Act*;

R.S.O. 1980,
c. 129

“rateable property” includes business and other assessment made under the *Assessment Act*;

R.S.O. 1980,
c. 31

“regional rating by-law” means a by-law passed under subsection 118 (2) or (3);

“residential and farm assessment” means the total assessment for real property according to the last returned assessment roll except the assessments for real property mentioned in clauses (a) and (c) of the definition of “commercial assessment”;

R.S.O. 1980
c. 129

“separate school board” means a separate school board as defined in paragraph 59a of subsection 1 (1) of the *Education Act*;

“weighted assessment” means, for the relevant area, the total of,

- (a) the product obtained by multiplying the residential and farm assessment by 85 per cent, and
- (b) the commercial assessment.

2. Section 118 of the said Act, as amended by the Statutes of Ontario, 1984, chapter 45, section 13, and sections 119, 120, 121 and 122 are repealed and the following substituted therefor:

Definitions

118.—(1) In this section,

“general regional levy” means a sum sufficient,

- (a) for payment of the estimated current annual expenditures as adopted under section 117, and
- (b) for payment of all debts of the Regional Corporation falling due within the year as well as amounts required to be raised for sinking funds and principal and interest payments or sinking fund requirements in respect of debenture debt of area municipalities for the payment of which the Regional Corporation is liable under this Act,

but excludes the special library levy;

“special library levy” means an amount required to be raised by two or more township area municipalities in any year for regional library purposes.

General
regional
rating by law

(2) For purposes of raising the general regional levy, the Regional Council, on or before the 30th day of June in 1988 and on or before the 31st day of March in each subsequent year, shall pass a by-law directing the council of each area municipality to levy a separate rate, as specified in the by-law, on the residential and farm assessment in the area municipal-

ity rateable for regional purposes and on the commercial assessment in the area municipality rateable for regional purposes.

(3) For purposes of raising a special library levy, the Regional Council, on or before the 30th day of June in 1988 and on or before the 31st day of March in each subsequent year, shall pass a by-law directing the council of each applicable area municipality, to levy a separate rate, as specified in the by-law, on the residential and farm assessment in the area municipality rateable for regional purposes and on the commercial assessment in the area municipality rateable for regional purposes.

Special
library
levy

(4) The rate that the Regional Council shall direct to be levied in each year on commercial assessment for each separate levy specified in subsections (2) and (3) shall be determined by multiplying the sum required for each such levy by 1,000 and dividing the product,

Determi-
nation
of
commercial
rate

- (a) by the weighted assessment for all the area municipalities in the Regional Area, in the case of the general regional levy; and
- (b) by the weighted assessment of those area municipalities that are rateable for the purpose of raising the special library levy, in the case of a special library levy.

(5) The rate that the Regional Council shall direct to be levied on the residential and farm assessment under subsections (2) and (3) shall be 85 per cent of the rate to be levied on commercial assessment in accordance with subsection (4).

Determi-
nation
of residential
rate

(6) In each year the council of each area municipality shall levy, in accordance with the regional rating by-laws passed for that year, the rates specified in the by-law.

Area
municipality
to adopt
rates

(7) The assessment for real property that is exempt from taxation for regional purposes by virtue of any Act or by virtue of a by-law passed by the council of an area municipality under any Act shall not be included when determining weighted assessment for the purposes of subsection (4).

Tax exempt
real property

(8) The full value of all rateable property shall be used in determining,

Full value
to be used

- (a) the rates to be levied under subsections (4) and (5); and

- (b) the assessment on which the levy shall be made under subsection (6),

and, notwithstanding any other Act, but subject to section 22 of the *Assessment Act*, no fixed assessment applies thereto.

R.S.O. 1980, c. 31

Instalment
and advance
payments

(9) A regional rating by-law shall specify the amount to be raised in an area municipality as a result of a levy being made in that area municipality in accordance with the by-law and the by-law,

- (a) may require specified portions of that amount to be paid to the treasurer of the Regional Corporation on or before specified dates; and
- (b) may provide that the Regional Corporation shall pay interest at a rate to be determined by the Regional Council on any payment required, or portion thereof, made in advance by any area municipality.

Payment

(10) The amount specified to be raised in an area municipality pursuant to a regional rating by-law shall be deemed to be taxes and is a debt of the area municipality to the Regional Corporation and the treasurer of the area municipality shall pay the amount owing by the area municipality to the treasurer of the Regional Corporation on or before the dates and in the portions specified in the regional rating by-law.

Default

(11) If an area municipality fails to make any payment, or portion thereof, as provided in the regional rating by-law, the area municipality shall pay to the Regional Corporation interest on the amount in default at the rate of 15 per cent per annum from the due date of the payment, or such lower rate as the Regional Council may by by-law determine, from the date payment is due until it is made.

Extension
of time

(12) The Minister by order may extend the time for passing a regional rating by-law in any year and such an order may be made notwithstanding that the time limits set out in subsection (2) or (3) have expired.

Alternative
basis of
apportionment
R.S.O. 1980,
c. 359

(13) Notwithstanding subsections (4) and (5), in each of the years 1988, 1989 and 1990, the Lieutenant Governor in Council may, in a regulation made under section 9a of the *Ontario Unconditional Grants Act*, prescribe an alternative basis on which apportionments are to be made and may prescribe the manner of determining the mill rates to be specified and determined under subsections (2) and (3).

(14) A basis of apportionment prescribed by the Lieutenant Governor in Council under subsection (13) shall be deemed to have been prescribed under subsection 9a (1) of the *Ontario Unconditional Grants Act* as an alternative to the basis of apportionment that would have been prescribed for the Regional Area under subsection 9a (1) if the Regional Area had not been subject to an assessment update under subsection 121 (1).

Deeming provision

R.S.O. 1980, c. 359

118a.—(1) In each year, The Huron-Perth Roman Catholic Separate School Board, The Waterloo County Board of Education and The Waterloo County Roman Catholic Separate School Board shall determine the rates to be levied by the applicable area municipalities to provide the sums required for elementary and secondary school purposes, as the case may be, in that year and shall specify the amount that is to be provided in that year by the application of those rates within an area municipality.

Determination of school rates

(2) The determinations required by subsection (1) shall be made in accordance with subsection 222 (1) of the *Education Act*.

Idem

R.S.O. 1980, c. 129

(3) On or before the 1st day of March in each year, The Huron-Perth Roman Catholic Separate School Board, The Waterloo County Board of Education and The Waterloo County Roman Catholic Separate School Board shall direct the council of each applicable area municipality to levy the rates determined by the particular Board in respect of that area municipality under subsection (1) and shall advise the area municipality of the amount of money to be raised by levying those rates.

Direction to area municipalities

(4) In each year the council of an area municipality shall levy rates, in accordance with the directions under subsection (3), upon all property in the area municipality rateable for public school board or separate school board purposes, as may be appropriate.

Area municipality to levy and collect

(5) The full value of all applicable rateable property shall be used in determining,

Full value to be used

- (a) the weighted assessment for each area municipality for purposes of apportioning among the applicable area municipalities the sums required for school purposes by the school boards mentioned in subsection (3);
- (b) the rates mentioned in subsection (1); and

(c) the assessment upon which the rates are to be levied under sections 128, 133 and 215 of the *Education Act*,

R.S.O. 1980,
c. 129

and notwithstanding any other Act, but subject to section 22 of the *Assessment Act*, no fixed assessment applies thereto.

R.S.O. 1980,
c. 31

Definitions

in
R.S.O. 1980,
c. 129, s. 220

(6) For the purposes of determining and levying rates under this section, a reference in the *Education Act* to “commercial assessment” or “residential and farm assessment” shall be deemed to be a reference to such assessments as defined in this Part and not as defined in section 220 of that Act.

Non-
application of
R.S.O. 1980,
c. 129,
s. 219 (2)

(7) Subsection 219 (2) of the *Education Act* does not apply to the determination of rates under subsection (1).

Application
of
R.S.O. 1980,
c. 129

(8) Except as provided in this section, the *Education Act* continues to apply to the levying of rates and collecting of taxes for each public school board and separate school board having jurisdiction in part of the Regional Area.

Definitions

118b.—(1) In this section,

R.S.O. 1980,
c. 302

“area municipality levy” means the amount required for area municipality purposes under section 164 of the *Municipal Act* including the sums required for any board, commission or other body, but excluding those amounts required to be raised for regional and school purposes;

“special area municipality levy” means an amount to be raised by an area municipality that is not included in the area municipality levy, but excluding those amounts required to be raised for regional and school purposes.

Area
municipality
levies

(2) The council of each area municipality, in each year in accordance with subsections (3) and (4), shall levy separate rates on the whole of the rateable commercial assessment and on the whole of the rateable residential and farm assessment in respect of the area municipality levy and the special area municipality levy.

Determi-
nation
of
commercial
rates

(3) The rates to be levied in each year on commercial assessment for each separate levy specified in subsection (2) shall be determined by multiplying the sum required for each such levy by 1,000 and dividing the product,

(a) by the weighted assessment for the area municipality, in the case of an area municipality levy; and

- (b) by the weighted assessment determined on the basis of the assessment that is rateable for the purpose of raising the special area municipality levy, in the case of a special area municipality levy.

(4) The rates to be levied in each year on residential and farm assessment for each separate levy specified in subsection (2) shall be 85 per cent of the rate to be levied on commercial assessment in accordance with subsection (3).

Determi-
nation
of residential
rates

(5) Section 158 of the *Municipal Act* and section 7 of the *Ontario Unconditional Grants Act* do not apply to an area municipality.

Non-
application of
R.S.O. 1980,
c. 302, s. 158
and c. 359,
s. 7

(6) A reference in any other Act to a levy by a local municipality under section 158 of the *Municipal Act* shall, with respect to an area municipality, be deemed to be a reference to a levy under this section.

Area
municipality
levy
R.S.O. 1980,
c. 302

(7) The assessment for real property that is exempt from taxation for area municipality purposes by virtue of any Act or by virtue of a by-law passed by the council of an area municipality under any Act shall not be included when determining the weighted assessment for purposes of clause (3) (a) or (b).

Tax exempt
real property

118c.—(1) The Regional Council, before the adoption of the estimates for the year, may by by-law requisition from each area municipality a sum not exceeding 50 per cent of the amount that under subsection 118 (9) was, in the regional rating by-laws for the preceding year, specified to be raised in the particular area municipality and subsections 118 (9), (10) and (11) apply with necessary modifications to the amount requisitioned.

Interim
financing,
Regional
Council

(2) The amount of any requisition made under subsection (1) in any year upon an area municipality shall be deducted when determining the amount of the portions to be paid in that year by the area municipality to the treasurer of the Regional Corporation under the regional rating by-law authorized by clause 118 (9) (a).

Final
instalment
reduced

118d.—(1) The council of an area municipality may for any year, before the adoption of the estimates for the year, levy such rates as it may determine on the rateable commercial assessment and on the rateable residential and farm assessment in the area municipality.

Interim
financing,
area
municipalities

By-law in
December of
preceding
year

(2) A by-law for levying rates under subsection (1) shall be passed in the year that the rates are to be levied or may be passed in December of the preceding year if it provides that it does not come into force until a specified day in the following year.

Determi-
nation
of rate

(3) The rate that may be levied on any assessment under subsection (1) shall not exceed 50 per cent of the total of the rates that were levied or would have been levied on that assessment for all purposes in the preceding year.

Assessment
roll

(4) If the assessment roll for taxation in the current year has not been returned, the rate levied under subsection (1) may be levied on the assessment according to the assessment roll used for taxation purposes in the preceding year.

Interim levy
deducted
from
final levy

(5) The amount of any levy made on an assessment under subsection (1) shall be deducted from the total amount levied on that assessment for that year under sections 118, 118a and 118b.

Interim levy
in excess of
final levy

(6) Where the taxes levied on an assessment for real property or on a business assessment under this section exceed the taxes to be levied on that assessment for the year under sections 118, 118a and 118b, the treasurer of the area municipality shall, not later than twenty-one days following the giving of a notice of demand of taxes payable, refund to the person assessed that portion of the taxes paid in excess of the amount payable for the year pursuant to a levy made under sections 118, 118a and 118b.

Application
of
R.S.O. 1980,
c. 302

(7) The provisions of the *Municipal Act* with respect to the levy of rates and the collection of taxes apply with necessary modifications to the levy of rates and collection of taxes under this section.

Power of
Minister

118e. Where a direction has been made under subsection 121 (1) that a new assessment roll be returned for taxation in the current year, the Minister by order,

(a) may prescribe the maximum sum that may be requisitioned from each area municipality under subsection 118c (1); and

(b) may prescribe the maximum rates that may be levied by the council of each area municipality under subsection 118d (1).

Definitions

119.—(1) In this section,

“payment in lieu of taxes” means an amount that an area municipality is eligible to receive under,

- (a) subsection 26 (3), (4) or (5) of the *Assessment Act*, R.S.O. 1980, c. 31
- (b) subsection 7 (6) of the *Housing Development Act*, but not including that portion payable to a school board in accordance with subsection 7 (10) of that Act, R.S.O. 1980, c. 209
- (c) section 160 and subsection 160a (3) of the *Municipal Act*, R.S.O. 1980, c. 302
- (d) subsection 4 (1), (2) or (3) of the *Municipal Tax Assistance Act*, R.S.O. 1980, c. 311
- (e) section 42 of the *Ontario Water Resources Act*, R.S.O. 1980, c. 361
- (f) subsection 46 (2), (3), (4) or (5) of the *Power Corporation Act*, but not including that portion payable to a school board in accordance with subsection 46 (9) of that Act, R.S.O. 1980, c. 384
- (g) section 10 or 11 of the *Trees Act*, R.S.O. 1980, c. 510
- (h) the *Municipal Grants Act, 1980* (Canada), or 1980-81-82-83, c. 37 (Can.)
- (i) any Act of Ontario or of Canada or any agreement where the payment is from any government or government agency and is in lieu of taxes on real property or business assessment, but not including a payment referred to in section 498 of the *Municipal Act*; R.S.O. 1980, c. 302

“taxes for local purposes” means the taxes levied by an area municipality for local purposes under subsection 118b (2), excluding any adjustments under section 32 or 33 of the *Assessment Act*;

R.S.O. 1980,
c. 31

“taxes for regional purposes” means the sum of taxes levied by an area municipality for regional purposes as specified in the regional rating by-laws under subsections 118 (2) and (3), excluding any adjustments under section 32 or 33 of the *Assessment Act*;

“total taxes for all purposes” means the sum of the taxes for local purposes, the taxes for regional purposes and the taxes levied by the area municipality for school purposes under subsection 118a (1), excluding any adjustments under section 32 or 33 of the *Assessment Act*.

Area
municipalities
to share
payments in
lieu of taxes

(2) Where an area municipality is eligible to receive a payment in lieu of taxes for any year, it shall pay to the treasurer of the Regional Corporation a portion equal to the amount obtained by multiplying the amount that the area municipality is eligible to receive by the quotient, correct to five decimal places, obtained by dividing the taxes for regional purposes for the year by the total of,

- (a) the taxes for local purposes for the year; and
- (b) the taxes for regional purposes for the year.

Sharing of
certain
payments

(3) Notwithstanding subsection (2), if an area municipality is eligible to receive a payment in lieu of taxes for any year under,

R.S.O. 1980,
c. 31

- (a) subsection 26 (3), (4) or (5) of the *Assessment Act*;

R.S.O. 1980,
c. 361

- (b) section 42 of the *Ontario Water Resources Act*;

R.S.O. 1980,
c. 384

- (c) subsection 46 (2), (3), (4) or (5) of the *Power Corporation Act*, but not including that portion payable to a school board in accordance with subsection 46 (9) of that Act;

R.S.O. 1980,
c. 510

- (d) section 10 or 11 of the *Trees Act*; or

[1980 S.I. No. 83,
c. 37 (Can.)]

- (e) the *Municipal Grants Act, 1980* (Canada),

and the calculation of the payment is based in part on the rates that were levied for school purposes, then the portion to be paid under subsection (2) shall be calculated by multiplying the amount that the area municipality is eligible to receive by the quotient, correct to five decimal places, obtained by dividing the taxes for regional purposes for the year by the total taxes for all purposes for the year.

Treasurer
to provide
estimate
of share

(4) The treasurer of each area municipality shall, on or before the 1st day of March in each year, send a statement to the treasurer of the Regional Corporation and each school board showing an estimate of the amount that the area municipality will be required to pay to the Regional Corporation for the year under subsection (2) and to each school board under subsection 7 (10) of the *Housing Development Act* and under subsection 46 (9) of the *Power Corporation Act*.

R.S.O. 1980,
cc. 209, 384

Allocation
of payments
in lieu of
taxes

(5) Where an area municipality is required to pay a portion of a payment in lieu of taxes to the Regional Corporation under subsection (2), or to a school board,

- (a) subsections 26 (7) and (9) of the *Assessment Act*; R.S.O. 1980, c. 31
- (b) subsection 7 (10) of the *Housing Development Act*; R.S.O. 1980, c. 209
- (c) subsections 160 (12) and (16) and subsection 160a (4) of the *Municipal Act*; and R.S.O. 1980, c. 302
- (d) subsection 46 (7) of the *Power Corporation Act*, R.S.O. 1980, c. 384

with respect to the equalization of assessment or allocation and deposit of payments shall not apply to that entitlement.

120.—(1) Each area municipality shall pay a portion of the tax levied by it under subsections 161 (12) and (13) of the *Municipal Act* to the Regional Corporation and The Waterloo County Board of Education in the proportion that the taxes levied by it on commercial assessment in the year for each such body bears to the total taxes levied by it in the year on commercial assessment for all purposes, other than separate school board purposes.

Payment of
portion of
telephone
and
telegraph tax

(2) In determining the taxes levied on commercial assessment under subsection (1), there shall be excluded any adjustments under section 32 or 33 of the *Assessment Act*.

Exclusion of
taxes added
to
collector's
roll

(3) The treasurer of each area municipality shall, on or before the 1st day of March in each year, send a statement to the treasurer of the Regional Corporation and The Waterloo County Board of Education showing an estimate of the amount which the area municipality will be required to pay to that body for the year under subsection (1).

Statement by
treasurer

(4) Subsections 161 (18) to (24) of the *Municipal Act* do not apply if payments are made by an area municipality under subsection (1).

Exclusion of
R.S.O. 1980,
c. 302, s. 161
(18-24)

120a.—(1) An amount payable by an area municipality to,

Payment in
lieu and
telephone
and
telegraph
levies

- (a) the Regional Corporation under subsection 119 (2) or 120 (1);
- (b) a public school board under subsection 120 (1); or
- (c) a school board under subsection 7 (10) of the *Housing Development Act* or under subsection 46 (9) of the *Power Corporation Act*, R.S.O. 1980, cc. 209, 384

is a debt of the area municipality to the Regional Corporation or school board, as the case may be, and, subject to sub-

sections (2) and (3), instalments are payable on account thereof as follows:

1. A first instalment equal to 25 per cent of the amount payable for the same purposes in the preceding year, on or before the 31st day of March.
2. A second instalment of 25 per cent of the amount payable for the same purposes in the preceding year, on or before the 30th day of June.
3. A third instalment of 25 per cent of the amount payable for the same purposes in the preceding year, on or before the 30th day of September.
4. A fourth instalment of the balance of the entitlement for the year, on or before the 15th day of December.

Alternative
payment
schedule

(2) The Regional Council may by by-law provide for an alternative number of instalments and due dates for amounts payable by area municipalities to the Regional Corporation under subsection (1).

Idem

(3) Where a school board having jurisdiction within the Regional Area has established an agreement which applies to one or more area municipalities in accordance with subsection 215 (3) of the *Education Act*, the number of instalments and due dates specified in that agreement shall apply with necessary modifications to those amounts otherwise payable to the school board under subsection (1).

R.S.O. 1980,
c. 129

General
revenues

(4) An amount payable by an area municipality under subsection 119 (2) or 120 (1) or under subsection 7 (10) of the *Housing Development Act* or under subsection 46 (9) of the *Power Corporation Act* shall be credited by the Regional Corporation or school board to its general revenues.

R.S.O. 1980,
cc. 209, 384

Default

(5) If an area municipality fails to make any payment as provided under subsection (1) or as altered under subsection (2) or (3), the area municipality shall pay to the Regional Corporation or school board, as applicable, interest on the amount past due at the rate of 15 per cent per annum, or at such lower rate as the school board or Regional Corporation may by by-law determine from time to time.

Overpayment

(6) Where the total amount paid for the year under subsection (1), (2) or (3) exceeds the total amount payable for that purpose in the year, the area municipality shall notify the Regional Corporation or the school board, as the case may

be, of the amount of the overpayment and the Regional Corporation or school board shall forthwith pay that amount to the area municipality.

121.—(1) If the Minister of Revenue considers that, within any class or classes of real property within the Regional Area, any parcel or parcels of real property are assessed inequitably with respect to the assessment of any other parcel or parcels of real property of that class, the Minister of Revenue may direct that such changes be made in the assessment to be contained in the assessment roll next to be returned for each area municipality as will, in the Minister's opinion, eliminate or reduce inequalities in the assessment of any class or classes of real property, and the Minister of Revenue may, for that purpose, make regulations,

Region-wide
assessment
update

- (a) prescribing the classes of real property into which the real property in the Regional Area shall be divided for the purpose of this subsection;
- (b) prescribing standards and procedures to be used for the purpose of equalizing and making equitable the assessments of all real property belonging to the same class throughout the Regional Area;
- (c) providing that any equalization of assessment pursuant to a regulation made under clause (b) shall not alter, as between classes of real property throughout the Regional Area, the relative level of assessment at market value previously existing among such classes, or providing that the equalization shall alter such levels of assessment at market value no more than is reasonably necessary to provide equitability of assessment within each class.

(2) If the assessment roll of an area municipality for taxation in any year is changed pursuant to a direction of the Minister of Revenue under subsection (1),

Application
of
new
assessment
roll

- (a) the assessment roll to be returned for that area municipality for taxation in that year shall be the assessment roll as so changed and not the assessment roll that would otherwise have been returned; and
- (b) the assessment roll to be returned in each year following that year shall be the assessment roll returned under clause (a) as amended, added to, or otherwise altered under the *Assessment Act* up to

R.S.O. 1980,
c. 31

the date when the assessment roll is returned in each such following year.

Exception

(3) Notwithstanding subsection (2), where the assessor is of the opinion that an assessment to be shown on the assessment roll to be returned is inequitable with respect to the assessment of similar real property in the vicinity, the assessor may alter the value of the assessment to the extent necessary to make the assessment equitable with the assessment of such similar real property.

Status of
assessment
roll

(4) For the purpose of every Act, the assessment roll of an area municipality returned under subsection (2) shall be deemed to be the assessment roll of the area municipality returned under the *Assessment Act*.

R.S.O. 1980,
c. 31

Mandatory
return of
updated roll
every fourth
year

(5) In every fourth year following the most recent direction under subsection (1), the Minister of Revenue shall make a direction under subsection (1) for changes to be made to the assessment rolls of the area municipalities.

Resolution
required

(6) The Minister of Revenue shall not make a direction under subsection (1) unless the Regional Council by resolution has requested that a direction be made, but a resolution is not required where a direction of the Minister of Revenue is made as required under subsection (5).

Provisions of
R.S.O. 1980,
c. 31

(7) Except as provided in subsections (1) and (8), the *Assessment Act* and the alterations, corrections, additions and amendments authorized by that Act apply to an assessment roll returned under subsection (2).

Idem

(8) Subsections 63 (1) and (3) and sections 64 and 65 of the *Assessment Act* do not apply to an area municipality or to the assessment roll of any area municipality in respect of 1988 and subsequent years.

Powers on
appeal

(9) The Assessment Review Board, the Ontario Municipal Board or any court, in determining the value at which any real property shall be assessed in any complaint, appeal, proceeding or action, shall have reference to the value at which similar real property in the vicinity is assessed, and the amount of any assessment of real property shall not be altered unless the Assessment Review Board, Ontario Municipal Board or court is satisfied that the assessment is inequitable with respect to the assessment of similar real property in the vicinity, and in that event the assessment of the real property shall not be altered to any greater extent than is necessary to make the assessment equitable with the assessment of such similar real property.

(10) Notwithstanding that a complaint, appeal, proceeding or action concerns an assessment made for taxation in a year prior to the year for which classes of real property were prescribed for the Regional Area under subsection (1), for the purpose of determining the value at which any real property shall be assessed in any complaint, appeal, proceeding or action, real property described in a class prescribed under subsection (1) for the Regional Area is not similar to real property described in another class prescribed under subsection (1) for the Regional Area, and the inclusion of real property within a class so prescribed does not indicate that the real property is similar to other real property in that class.

Where
property
described in
class
prescribed
under subs.
(1)

(11) No amendment shall be made to the assessment or a collector's roll under clause 33 (a) of the *Assessment Act* until the cumulative value of the increase since the date of the most recent change to the assessment roll under a direction of the Minister of Revenue under subsection (1) is at least in the sum of \$5,000 at market value or, if the assessment in the Regional Area is at less than market value, at an equivalent rate.

No
amendment
to collector's
roll
R.S.O. 1980,
c. 31

(12) For the purposes of subsection 24 (16a) of the *Assessment Act*, changes made in the assessment roll of an area municipality under a direction of the Minister of Revenue under subsection (1) shall be deemed to be an update of the assessment of all property within the area municipality under subsection 63 (3) of the *Assessment Act*.

Table of
rates for
pipe lines

(13) Nothing in section 118, 118a or 118b deprives any person of any right of appeal provided for in the *Assessment Act* or affects the operation of subsection 36 (6) of that Act.

Rights of
appeal
preserved

(14) A regulation made under subsection (1) may be made retroactive to the 1st day of December of the year preceding the year in which it was made.

Regulations
may be
retroactive

122.—(1) Where changes are made in the assessment rolls of area municipalities under a direction of the Minister of Revenue under subsection 121 (1) and the changes directly affect the relative cost sharing of conservation authority responsibilities for any municipality beyond the Regional Area or cause within the Regional Area substantial tax shifts between municipalities, property classes or individual properties, the Lieutenant Governor in Council may, in order to minimize such effects, make regulations prescribing an alternative basis of apportionment to that specified under the *Conservation Authorities Act*.

Conservation
Authority
apportionments

R.S.O. 1980,
c. 85

Regulation
may be
retroactive

(2) A regulation made under subsection (1) may be made retroactive to a date not earlier than the 1st day of January of the year in which it was made.

3. Subsection 163 (5) of the said Act is repealed and the following substituted therefor:

Operation of
regional
library
service

(5) The operation of the regional library service shall be limited to the township area municipalities.

4. Section 169 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 49, section 29, is repealed and the following substituted therefor:

Definition

169.—(1) In this Part, “waste” means ashes, garbage, refuse, domestic waste, industrial solid waste or municipal refuse and such other wastes as may be designated by by-law passed by the Regional Council.

Disposal
of waste

(2) The Regional Corporation shall provide facilities for the purposes of receiving, dumping and disposing of waste, and no area municipality shall provide such facilities.

Designation
of facilities

(3) The Regional Council shall, for each area municipality, designate one or more facilities for the receiving, dumping and disposing of waste or any class or classes thereof and, where such a designation has been made, an area municipality shall not utilize any facilities except the facilities that have been so designated for that area municipality.

Consent of
Regional
Council
required
R.S.O. 1980,
c. 303

(4) No facilities for the receiving, dumping and disposing of waste shall be provided in the Regional Area by any person or by any municipality, as defined in the *Municipal Affairs Act*, or by any other regional municipality or by a metropolitan or district municipality or by the County of Oxford or by a local board of a regional, district or metropolitan municipality or of the County of Oxford without the consent of the Regional Council, which consent may be given upon such terms and conditions, including the payment of compensation, as may be agreed upon.

Where
consent
refused

(5) Where the Regional Council refuses its consent under subsection (4) or the applicant and the Regional Council fail to agree on the terms and conditions related to the consent, the applicant may appeal to the Municipal Board which shall hear and determine the matter, and may impose such terms and conditions as the Board considers appropriate and the decision of the Board is final.

(6) For the purposes of subsection (2), the Regional Corporation may,

Powers
respecting
disposal
of waste

- (a) acquire and use land;
- (b) erect, maintain and operate buildings, structures, machinery or equipment for the purposes of receiving, dumping and disposing of waste;
- (c) contract with any person for such purposes;
- (d) prohibit or regulate the dumping and disposing of waste or any class or classes thereof upon any such land;
- (e) prescribe rates or charges for the use of waste facilities, which rates or charges may relate to the volume, weight or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances; and
- (f) provide standards and regulations for vehicles, or any class or classes thereof, used for the haulage of waste to any waste facility located in the Regional Area.

(7) The Regional Corporation shall pay to the corporation of any area municipality on or before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of any municipal facility for the receiving, dumping and disposing of waste assumed by the Regional Corporation.

Payment
to area
municipality

(8) If the Regional Corporation fails to make any payment required under subsection (7), on or before the due date, the area municipality may charge the Regional Corporation interest at the rate of 15 per cent per annum, or such lower rate as the council of the area municipality determines, from such date until payment is made.

Interest

(9) For the purposes of subsection (6), paragraph 84 of section 210 of the *Municipal Act* applies with necessary modifications.

Application
of certain
provisions of
R.S.O. 1980,
c. 302

(10) A by-law passed under paragraph 129 of section 210 of the *Municipal Act* does not apply to the Regional Corporation.

Non-
applicability
of certain
by-laws

(11) The Regional Council may by by-law prescribe one or more routes on specified regional roads to be used by

Restrictions
respecting
the hauling
of wastes

vehicles, or any class or classes thereof, in hauling waste to any waste facility located in the Regional Area, and any such by-law may provide different restrictions by reference to the days and times set forth in the by-law.

Idem

(12) Subject to the approval of the Regional Council, the council of an area municipality may by by-law prescribe one or more routes on specified area municipality roads to be used by vehicles, or any class or classes thereof, in hauling waste to any waste facility located in such area municipality, and any such by-law may provide different restrictions by reference to the days and times set forth in the by-law.

Collection
of waste

(13) The Regional Corporation may erect, maintain and operate buildings, structures, machinery or equipment for the purposes of recovering, manufacturing, producing, supplying, selling or distributing from domestic or industrial sewage or waste any product, resource, commodity, electrical power or energy, hot water or steam, and for such purposes may,

- (a) enter into agreements with any person;
- (b) carry on investigations, experiments, research or development;
- (c) construct and maintain pipes, apparatus and equipment on, over, under or across any highway or any other land with the consent of the owner of such land; and
- (d) acquire any patent or licence or any interest in any patent or licence, or dispose of any patent or licence by sale or otherwise.

Interpretation

(14) In subsection (13), "product" includes fuel derived from waste.

Non-
applicability
of
R.S.O. 1980,
c. 309

(15) The *Municipal Franchises Act* does not apply to any act of the Regional Corporation under subsection (13).

Collection
and removal
of
waste in area
municipality

169a.—(1) The Regional Council may, with the consent of an area municipality, assume the responsibility for the collection and removal of waste for that area municipality or for one or more defined areas therein.

Consent
required for
repeal of
regional
by-law

(2) A by-law passed by Regional Council under subsection (1) shall not be repealed without the consent of the area municipality which consented to the passing of the by-law.

(3) On and after the effective day of a by-law passed under subsection (1),

Where
Regional
Corporation
responsible
for
collection of
waste in area
municipality

- (a) the Regional Corporation shall be responsible for the collection and removal of waste in the area municipality or defined areas therein to which the by-law applies;
- (b) for the purposes of clause (a), the Regional Corporation has all the powers conferred by any general or special Act upon the area municipality or local board thereof for the collection and removal of waste;
- (c) no area municipality shall collect or remove waste in the area municipality or defined areas therein to which the by-law applies without the consent of the Regional Council, which consent may be given upon such terms and conditions, including the payment of compensation, as may be agreed upon;
- (d) all rights and obligations and all personal property of the area municipality pertaining to or exclusively used for the collection and removal of waste in the area municipality or defined areas therein to which the by-law applies are vested in the Regional Corporation without compensation;
- (e) subsections 169 (7) and (8) apply with necessary modifications to outstanding debts in respect of the property vested in the Regional Corporation under clause (d); and
- (f) where, prior to the effective date of the by-law, the area municipality had entered into an agreement for another municipality or person to collect and remove waste in the area municipality or defined area therein to which the by-law applies, the Regional Corporation shall be bound by the agreement, and the area municipality is relieved of all liability under the agreement.

(4) The Regional Council shall offer to employ every person who on the effective date of the by-law passed under subsection (1) is employed by the area municipality in the collection and removal of waste in the area municipality or defined area therein to which the by-law applies.

Offer of
employment
to be made

(5) Any person who accepts employment under subsection (4) is entitled to receive a wage or salary for the one year

Salary to be
paid in
first year

period following such acceptance of not less than that person was receiving on the date the by-law was passed.

Application
of certain
provisions

(6) Subsections 24 (2), (3), (5), (10), (11) and (13) apply with necessary modifications to a person who accepts employment with the Regional Corporation under subsection (4).

Costs may be
recovered
from area
municipality

(7) The Regional Council may by by-law provide for imposing on and collecting from an area municipality in which or in defined areas of which it collects and removes waste, a waste collection rate sufficient to pay the whole or such portion as the by-law may specify of the regional capital costs including debentures charges and expenditures for maintenance and operation of the waste collection and removal system in the area municipality and such rate may be based on the volume, weight or class of waste collected and removed or on any other basis that the by-law may specify.

Idem

(8) All rates under subsection (7) constitute a debt of the area municipality to the Regional Corporation and shall be payable at such times and in such amounts as may be specified by by-law of the Regional Council.

Payment
by area
municipality

(9) The area municipality may,

(a) pay the whole or part of the amount chargeable to it under this section out of its general funds;

R.S.O. 1980,
c. 302

(b) pass by-laws under paragraphs 85 and 86 of section 210 of the *Municipal Act* for imposing rates to recover the whole or part of the amount chargeable to the area municipality; and

(c) pass by-laws for imposing rates to recover the whole or part of the amount chargeable as part of the cost of an urban service within an urban service area established in the area municipality under any general or special Act.

Recycling
programs

169b.—(1) The Regional Corporation may establish and operate programs for the reduction, recovery, recycling and reuse of waste and the Regional Corporation may enter into agreements with one or more area municipalities to provide for the joint management and operation of the programs upon such terms and conditions as may be agreed upon.

Agreements

(2) An agreement under subsection (1) may provide that the Regional Corporation shall be responsible for the collection and marketing of waste separated by the public at source for recycling or reuse.

5. The said Act is amended by adding thereto the following section:

178.—(1) In this section,

Definitions

“development” means development as defined in subsection 40 (1) of the *Planning Act, 1983*;

1983, c. 1

“industrial development charge” means a uniform charge per hectare based on the total area of the land and all or any part of the net cost of providing the services;

“land” means the land described in the Schedule to subsection (2);

“net cost of providing the services” means the total cost to the Regional Corporation of providing the services after deducting all grants, subsidies or payments and any other moneys from any source which have been or will be received in respect of or applied against the cost of providing the services;

“services” means the undertakings and works prescribed by the Minister.

(2) The Regional Corporation may, in respect of any commercial or industrial development on all or any portion of the land described in the following Schedule, impose on and collect from the registered owners of all or any portion of the land being so developed an industrial development charge to defray all or any part of the net cost of providing the services:

Industrial
development
charge

SCHEDULE

The land located in the following areas:

1. The portion of the City of Cambridge described as follows:

Beginning at the intersection of the northwesterly limit of the King's Highway No. 401 and the northeasterly limit of the right of way of the Grand River Railway;

Thence northwesterly along the Grand River Railway to a westerly boundary of the City of Cambridge;

Thence southerly along the said westerly boundary to the northerly limit of the King's Highway No. 401;

Thence easterly along the northerly limit of the said Highway to the place of beginning.

2. The portion of the City of Kitchener described as follows:

Beginning at the intersection of the easterly boundary of the City of Kitchener and the northerly limit of the King's Highway No. 401;

Thence westerly along the northerly limit of the King's Highway No. 401 to the northeasterly limit of the King's Highway No. 8 (Old);

Thence northwesterly along the said northeasterly limit to the southwesterly limit of the King's Highway No. 8 (New);

Thence southeasterly along the southwesterly limit of the said King's Highway No. 8 (New) to the easterly boundary of the City of Kitchener;

Thence southerly along the said easterly boundary to the place of beginning.

Charge constitutes debt of registered owner

(3) An industrial development charge imposed under subsection (2) constitutes a debt of the registered owner to the Regional Corporation and may be recovered in a court of competent jurisdiction.

Payment of charge necessary before building permit issued

(4) An industrial development charge imposed under subsection (2) shall be paid before the issuance of any building permit required for the development.

Deeming provision R.S.O. 1980, c. 51

(5) Subsection (4) shall be deemed to be "applicable law" for the purposes of clause 6 (1) (a) of the *Building Code Act*.

Disputes referred to Municipal Board

(6) If the registered owner of the land upon which an industrial development charge has been imposed under subsection (2) disputes the amount of the charge, the registered owner, at any time prior to paying the charge to the Regional Corporation, may apply to the Municipal Board by written notice to the secretary of the Board and to the Regional Corporation, and the Board shall hear and determine the matter.

Reduction of industrial development charge 1983, c. 1

(7) Subject to subsection (8), the amount of any development or lot charge imposed on the land by the Regional Corporation under section 50 of the *Planning Act, 1983* shall be reduced by the amount of the industrial development charge imposed and collected on the same land under this section.

Idem

(8) The amount of the reduction in the charge imposed under section 50 of the *Planning Act, 1983* arising out of the imposition of the industrial development charge shall not exceed the amount of the charge imposed under section 50 of the *Planning Act, 1983*.

Order of Minister

(9) The Minister may by order prescribe the undertakings and works to which this section applies.

(10) The services shall be deemed to be provided to and utilized by any commercial or industrial development of all or any portion of the land.

Deeming
provision

6. Nothing in this Act affects the validity of an interim levy made by the Regional Council or by the council of an area municipality under section 120 of the *Regional Municipality of Waterloo Act* as it existed before the coming into force of this Act, and subsections 118 (9), (10) and (11) and subsection 118c (2) of that Act, as enacted by this Act, apply with necessary modifications to the interim levy made by the Regional Council in 1988 and subsections 118d (4), (5) and (6) of that Act, as enacted by this Act, apply with necessary modifications to an interim levy made by an area municipality in 1988.

Transition

R.S.O. 1980,
c. 442

7. Notwithstanding subsection 164 (2) of the *Municipal Act* or subsection 216 (2) of the *Education Act*, where the amount levied by an area municipality for regional purposes or school purposes in 1987 differs from the sum the area municipality ought to have levied for regional purposes or school purposes, the area municipality shall debit or credit such deficit or surplus, as applicable, to the general funds of the municipality and not revise the rates to be levied for such body in 1988.

Transition

R.S.O. 1980,
cc. 302, 129

8.—(1) Subsection 130 (10) of the *Education Act*, being chapter 129 of the Revised Statutes of Ontario, 1980, as re-enacted by the Statutes of Ontario, 1987, chapter 17, section 3, is repealed and the following substituted therefor:

(10) This section does not apply to The Haldimand-Norfolk Roman Catholic Separate School Board, The Sudbury District Roman Catholic Separate School Board, The Waterloo County Roman Catholic Separate School Board or to a separate school board having jurisdiction wholly or partly in a county where an assessment update has been carried out under subsection 368b (2) of the *Municipal Act*.

Non-
application

R.S.O. 1980,
c. 302

(2) Subsection 214 (6) of the said Act, as re-enacted by the Statutes of Ontario, 1987, chapter 17, section 3, is repealed and the following substituted therefor:

(6) Subsections (3) and (5) do not apply to an area municipality in The Regional Municipality of Haldimand-Norfolk, The Regional Municipality of Sudbury, The Regional Municipality of Waterloo or to a local municipality in a county where an assessment update has been carried out under subsection 368b (2) of the *Municipal Act*.

Non-
application

R.S.O. 1980,
c. 302

(3) Clause 214b (2) (b) of the said Act, as enacted by the Statutes of Ontario, 1987, chapter 17, section 3, is repealed and the following substituted therefor:

(b) The Regional Municipality of Haldimand-Norfolk or The Regional Municipality of Waterloo.

(4) Subsection 222 (4) of the said Act, as re-enacted by the Statutes of Ontario, 1987, chapter 17, section 3, is repealed and the following substituted therefor:

Non-application

(4) Subsection (2) does not apply to an area municipality in The Regional Municipality of Haldimand-Norfolk, The Regional Municipality of Sudbury, The Regional Municipality of Waterloo or a local municipality in a county where an assessment update has been carried out under subsection 368b (2) of the *Municipal Act*.

R.S.O. 1980,
c. 302

(5) Section 225 of the said Act, as re-enacted by the Statutes of Ontario, 1987, chapter 17, section 3, is repealed and the following substituted therefor:

Conflict

225. In the event of a conflict between any provision in sections 220 to 224 and any provision in any other Act, other than the *Regional Municipality of Haldimand-Norfolk Act*, the *Regional Municipality of Sudbury Act*, the *Regional Municipality of Waterloo Act* and section 368d of the *Municipal Act*, the provisions in sections 220 to 224 prevail.

R.S.O. 1980,
cc. 435, 441,
442, 302

Commence-
ment

9.—(1) This Act, except sections 4 and 5, shall be deemed to have come into force on the 1st day of January, 1988.

Idem

(2) Sections 4 and 5 come into force on the day this Act receives Royal Assent.

Short title

10. The short title of this Act is the *Regional Municipality of Waterloo Statute Law Amendment Act, 1988*.

CHAPTER 24

An Act to amend the Public Transportation and Highway Improvement Act

Assented to June 1st, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause 1 (e) of the *Public Transportation and Highway Improvement Act*, being chapter 421 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

- (e) “highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, trestle or any other structure incidental thereto, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

2. Section 22 of the said Act is amended by adding thereto the following subsections:

(3) The Minister may enter into an agreement with any municipality, including a district, metropolitan or regional municipality, with respect to any matter in relation to the acquisition, establishment, extension, improvement or construction of an intercity passenger facility to serve any one or more areas in Ontario and the Minister may direct payment out of moneys appropriated therefor by the Legislature to the municipality for such purposes.

Intercity
passenger
service

(4) Any municipality may enter into an agreement under this section.

Power to
municipalities

3. Subsection 24 (2) of the said Act is amended by striking out “section 30” in the sixth line and inserting in lieu thereof “section 33”.

4. Clause 31 (1) (b) of the said Act is repealed and the following substituted therefor:

- (b) shall construct or change the use of any private road, entranceway, gate or other structure or facility as a means of access to the King's Highway, other than a controlled-access highway,

5. Subsection 33 (3) of the said Act is amended by striking out "guard" in the third line and inserting in lieu thereof "guide".

6.—(1) Subsection 34 (1) of the said Act is repealed and the following substituted therefor:

Definitions

(1) In this section,

"centre point of an intersection" is the point where the centre line of the through part or parts of the King's Highway meets the centre line of or the centre line of the prolongation of any other highway that intersects or meets the King's Highway;

"portable sign" means a sign or advertising device that is not permanently attached to the ground, a building or a structure or that is designed to be moved from place to place.

(2) Subsection 34 (2) of the said Act is amended by striking out "or" at the end of clause (c) and by adding thereto the following clauses:

- (e) sell, offer for sale or display produce, goods or merchandise upon the King's Highway; or
- (f) construct or use any private road, entranceway, gate or other structure or facility as a means of access to the King's Highway.

(3) Section 34 of the said Act is amended by adding thereto the following subsection:

Direction to
stop sales,
etc.

(2a) The Minister may direct any person to stop selling, offering for sale or displaying any produce, goods or merchandise within 45 metres of any limit of the King's Highway or within 180 metres of the centre point of an intersection and every person to whom such direction is given shall forthwith comply with the direction.

(4) Subsection 34 (5) of the said Act is repealed and the following substituted therefor:

(5) The Minister may direct any owner of land,

Direction to
remove, etc.

- (a) to remove therefrom or alter thereon any building, fence, gasoline pump or other structure or any road, tree, shrub or hedge placed, erected or altered;
- (b) to remove therefrom or alter thereon any sign, notice or advertising device displayed; or
- (c) to close up any private road, entranceway, gate or other structure or facility constructed or used,

in contravention of subsection (2).

(5a) Clause (5) (b) does not apply to a portable sign.

Exception

(5b) Where a portable sign is displayed contrary to subsection (2), the Minister may direct,

Direction to
remove

- (a) the owner of the portable sign, if the Minister is able to ascertain who and where the owner is;
- (b) the person on whose behalf the portable sign is displayed, if clause (a) does not apply but the Minister is able to ascertain who and where that person is; or
- (c) the owner of the land on which the portable sign is displayed, if clauses (a) and (b) do not apply,

to remove the sign.

(5c) Where a sign in respect of which a direction is given under subsection (5b) is not removed within five days after the direction is given, the Minister may in writing authorize any person to enter upon the land involved and to do whatever is necessary to remove the sign.

Removal of
sign

(5) Subsection 34 (6) of the said Act is amended by striking out "notice" in the first line and inserting in lieu thereof "direction" and by striking out "subsection (5)" in the first line and inserting in lieu thereof "subsection (2a), (5), (5b), 38 (5) or 38 (5b)".

(6) Subsection 34 (7) of the said Act is repealed and the following substituted therefor:

Failure to
comply with
direction

(7) Where a direction given under subsection (5) or 38 (7) is not complied with within thirty days after its receipt, the Minister may in writing authorize any person to enter upon the land involved to do whatever is necessary to comply with the direction.

No liability
for damages

(7a) An authorization under subsection (5c), (7), 38 (5c) or 38 (7) is authority to the person named therein to enter on the land described therein and to remove the sign as directed and neither the Minister nor that person is liable for any damages that may be caused in effecting the removal.

(7) Subsection 34 (8) of the said Act is repealed and the following substituted therefor:

Offence

(8) Every person who contravenes subsection (2), (3), 38 (2) or 38 (3) or who fails to comply with a direction given under subsection (2a), (5), (5b), 38 (5) or 38 (5b) is guilty of an offence and on conviction is liable to a fine of not less than \$50 and not more than \$500 for a first offence and not less than \$200 and not more than \$1,000 for any subsequent offence.

(8) Subsection 34 (9) of the said Act is amended by striking out "notice" in the first line and inserting in lieu thereof "direction".

7.—(1) Subsection 38 (1) of the said Act is repealed and the following substituted therefor:

Definitions

(1) In this section,

"centre point of an intersection" is the point where the centre line of the through part or parts of a controlled-access highway meets the centre line of or the centre line of the prolongation of any other highway that intersects or meets the controlled-access highway;

"portable sign" means a sign or advertising device that is not permanently attached to the ground, a building or a structure or that is designed to be moved from place to place.

(2) Subsection 38 (5) of the said Act is amended by striking out "give notice to the owner of any land requiring him" in the first and second lines and inserting in lieu thereof "direct any owner of land".

(3) Section 38 of the said Act is amended by adding thereto the following subsections:

(5a) Clause (5) (b) does not apply to a portable sign.

Exception

(5b) Where a portable sign is displayed contrary to the provisions of subsection (2), the Minister may direct,

Direction to
remove

- (a) the owner of the portable sign, if the Minister is able to ascertain who and where the owner is;
- (b) the person on whose behalf the portable sign is displayed, if clause (a) does not apply but the Minister is able to ascertain who and where that person is; or
- (c) the owner of the land on which the portable sign is displayed, if clauses (a) and (b) do not apply,

to remove the sign.

(5c) Where a sign in respect of which a direction is given under subsection (5b) is not removed within five days after the direction is given, the Minister may in writing authorize any person to enter upon the land involved and to do whatever is necessary to remove the sign.

Removal of
sign

(4) Subsections 38 (6), (7) and (8) of the said Act are repealed.

(5) Subsection 38 (9) of the said Act is amended by striking out "notice" in the first line and inserting in lieu thereof "direction".

8. Section 45 of the said Act is repealed and the following substituted therefor:

45.—(1) Where a county road system is established under this Part, the county council shall,

County road
system
committee

- (a) act as a committee of the whole; or
- (b) appoint by by-law from three to ten residents of the county, who need not be members of the council, to constitute a committee,

to direct the work to be done on the county road system.

(2) If a committee is constituted under clause (1) (b), the council, subject to subsection (3), may by by-law,

Idem

- (a) regulate the term of office, reappointment, removal from office and the filling of any vacancy; and

- (b) assign executive powers considered appropriate for the effective operation of the committee.

Staggered
terms

(3) A committee constituted under clause (1) (b) shall be set up so that,

- (a) other than a committee consisting of four members, not less than one-third of the members are appointed to hold office for a term of three years, not less than one-third of the members are appointed to hold office for a term of two years and the remaining members are appointed to hold office for a term of one year; or
- (b) for a committee consisting of four members, one member is appointed to hold office for a term of three years, one member is appointed to hold office for a term of two years and two members are appointed to hold office for a term of one year,

and thereafter all members shall be appointed for a term of three years.

Re-
appointment

(4) Every member of the committee is eligible for reappointment upon the expiry of his or her term of office.

Warden
member

(5) The warden of the county is *ex officio* a member of the committee and may sit and vote thereon.

9. Section 47 of the said Act is repealed and the following substituted therefor:

Payment,
how to be
made

47. No money shall be disbursed pertaining to the county road system except by the county treasurer on the certificate of the county road superintendent approved by the county council and certified in writing by the warden of the county or by the committee appointed to direct the work to be done on the county road system as certified in writing by the chairman thereof.

10. Subsection 53 (3) of the said Act is repealed.

11.—(1) Subsection 63 (1) of the said Act is amended by striking out “and” at the end of clause (a) and by adding thereto the following clauses:

- (c) the construction or alteration of any private road, entranceway, gate or other structure or facility that permits access to a road; and

- (d) any change in use of any private road, entranceway, gate or other structure or facility that permits access to a road.

(2) Subsection 63 (2) of the said Act is repealed and the following substituted therefor:

(2) A by-law passed under this section may provide for the issuing of a permit for any of the acts that may be regulated under this section and may prescribe the form, terms and conditions of the permit and the fees to be paid for it, and may prescribe penalties for contravention of the by-law. Permits

12. Section 78 of the said Act is repealed.

13. Subsection 90 (1) of the said Act is amended by striking out “or village in a territorial district or of a” in the third and fourth lines and inserting in lieu thereof “village or”.

14.—(1) This Act, except section 10, comes into force on the day it receives Royal Assent. Commence-
ment

(2) Section 10 comes into force on a day to be named by proclamation of the Lieutenant Governor. Idem

15. The short title of this Act is the *Public Transportation and Highway Improvement Amendment Act, 1988*. Short title

CHAPTER 25

**An Act respecting the
Northern Ontario Heritage Fund**

Assented to June 1st, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- | | |
|--|--|
| Definitions | 1. In this Act, |
| "Société" | "Corporation" means the Northern Ontario Heritage Fund Corporation; |
| "Fonds" | "Fund" means the Northern Ontario Heritage Fund; |
| "ministre" | "Minister" means the Minister of Northern Development. |
| Corporation established | 2. The Northern Ontario Heritage Fund Corporation is hereby established as a body corporate. |
| Board | 3. —(1) The affairs of the Corporation shall be administered by a board of directors consisting of not fewer than twelve persons. |
| Idem | (2) The Minister shall be a director and shall chair the board of directors. |
| Idem | (3) Every other director shall be appointed by order of the Lieutenant Governor in Council for such term as is stipulated in the order. |
| Idem | (4) Every director, except for the Minister, shall be ordinarily resident in the Territorial District of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay or Timiskaming. |
| R.S.O. 1980,
c. 95, does
not apply | 4. The <i>Corporations Act</i> does not apply to the Corporation. |
| Objects | 5. The objects of the Corporation are, |

CHAPITRE 25

Loi concernant le Fonds du patrimoine du Nord de l'Ontario

Sanctionnée le 1^{er} juin 1988

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

- | | |
|--|--|
| 1 Les définitions qui suivent s'appliquent à la présente loi. | Définitions |
| «Fonds» Le Fonds du patrimoine du Nord de l'Ontario. | «Fund» |
| «ministre» Le ministre du Développement du Nord. | «Minister» |
| «Société» La Société de gestion du Fonds du patrimoine du Nord de l'Ontario. | «Corporation» |
| 2 Est créée une personne morale nommée Société de gestion du Fonds du patrimoine du Nord de l'Ontario. | Création de la Société |
| 3 (1) Un conseil d'administration composé d'au moins douze personnes gère les affaires de la Société. | Conseil d'administration |
| (2) Le ministre est administrateur de la Société et préside le conseil d'administration. | Idem |
| (3) Le lieutenant-gouverneur en conseil, par décret, nomme les autres administrateurs et fixe la durée de leur mandat. | Idem |
| (4) À l'exception du ministre, les administrateurs résident ordinairement dans les districts territoriaux d'Algoma, de Cochrane, de Kenora, de Manitoulin, de Nipissing, de Parry Sound, de Rainy River, de Sudbury, de Thunder Bay ou de Timiskaming. | Idem |
| 4 La <i>Loi sur les compagnies et associations</i> ne s'applique pas à la Société. | Non-application du chap. 95 des L.R.O. de 1980 |
| 5 Les objets de la Société sont les suivants : | Objets |

- (a) to advise and make recommendations to the Lieutenant Governor in Council on any matter relating to the growth and diversification of the economy of Northern Ontario;
- (b) to promote and stimulate economic initiatives in Northern Ontario; and
- (c) to commission studies and enter into contracts in connection with the objects set out in clauses (a) and (b).

Fund

6.—(1) The Corporation shall establish and maintain a fund known as the Northern Ontario Heritage Fund.

Idem

(2) The Minister, out of moneys appropriated therefor by the Legislature, may make grants to the Corporation for deposit in the Fund, subject to such conditions as the Lieutenant Governor in Council considers advisable.

Investments

(3) The Corporation may invest money deposited in the Fund in,

- (a) securities issued by or guaranteed by Ontario, any other province of Canada, Canada, the United Kingdom or the United States of America;
- (b) securities issued or guaranteed by the International Bank for Reconstruction and Development payable in Canadian or United States currency;
- (c) deposit receipts, deposit notes, certificates of deposits, acceptances and other similar instruments issued, guaranteed or endorsed by any bank named in Schedule A or B to the *Bank Act* (Canada); and
- (d) other investments authorized by the Lieutenant Governor in Council.

1980-81,
c. 40 (Can.)

Purposes of
the Fund

7.—(1) The Corporation may use any money deposited in the Fund to further its objects and, for the purpose of clause 5 (b), may provide financial assistance by way of grant or loan and may guarantee any loan.

Guarantee

(2) Every guarantee under subsection (1) executed by the Corporation and signed by the Treasurer of Ontario is binding on the Province of Ontario.

- a) conseiller le lieutenant-gouverneur en conseil sur toute question relative à la croissance et à la diversification économiques du Nord de l'Ontario, et lui faire des recommandations à cet égard;
- b) promouvoir et stimuler des initiatives économiques dans le Nord de l'Ontario;
- c) faire entreprendre des études et conclure des contrats relativement aux objets visés aux alinéas a) et b).

6 (1) La Société crée et maintient un fonds nommé Fonds du patrimoine du Nord de l'Ontario. Fonds

(2) Le ministre peut, sur les sommes affectées à cette fin par la Législature, accorder à la Société des subventions qu'elle verse au Fonds. Le lieutenant-gouverneur en conseil peut assujettir ces subventions aux conditions qu'il juge opportunes. Idem

(3) La Société peut placer les sommes versées au Fonds : Placements

- a) dans des valeurs mobilières émises ou garanties par l'Ontario, une autre province du Canada, le Canada, le Royaume-Uni ou les États-Unis d'Amérique;
- b) dans des valeurs mobilières émises ou garanties par la Banque internationale pour la reconstruction et le développement, qui sont payables en monnaie du Canada ou des États-Unis;
- c) dans des récépissés, des billets ou des certificats de dépôt, des acceptations ou d'autres effets semblables émis, garantis ou visés par une banque désignée à l'annexe A ou B de la *Loi sur les banques* (Canada);
- d) dans tout autre placement qu'autorise le lieutenant-gouverneur en conseil.

1980-1981,
chap. 40
(Can.)

7 (1) La Société peut affecter les sommes versées au Fonds à la poursuite de ses objets. Pour l'application de l'alinéa 5 b), elle peut accorder de l'aide financière au moyen de subventions et de prêts et peut garantir tout prêt. Objets du Fonds

(2) Les garanties prévues au paragraphe (1) lient la province de l'Ontario si elles sont passées par la Société et signées par le trésorier de l'Ontario. Garanties

Audit

8. The accounts and financial transactions of the Corporation shall be audited annually by the Provincial Auditor.

Annual
report

9. After the end of each fiscal year, the Corporation shall prepare an annual report on its affairs and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next session.

Commence-
ment

10. This Act comes into force on the day it receives Royal Assent.

Short title

11. The short title of this Act is the *Northern Ontario Heritage Fund Act, 1988*.

8 Les comptes et les opérations financières de la Société sont vérifiés chaque année par le vérificateur provincial. Vérification

9 Au terme de chaque exercice, la Société prépare un rapport annuel sur ses activités. Le ministre le présente au lieutenant-gouverneur en conseil et le dépose ensuite devant l'Assemblée; si celle-ci ne siège pas, il le dépose à la session suivante. Rapport annuel

10 La présente loi entre en vigueur le jour où elle reçoit la sanction royale. Entrée en vigueur

11 Le titre abrégé de la présente loi est *Loi de 1988 sur le Fonds du patrimoine du Nord de l'Ontario*. Titre abrégé

CHAPTER 26

An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund

Assented to June 1st, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Lieutenant Governor in Council is hereby authorized to raise from time to time by way of loan in any manner provided by the *Financial Administration Act* such sum or sums of money as are considered necessary for discharging any indebtedness or obligation of Ontario, for making any payments authorized or required by any Act to be made out of the Consolidated Revenue Fund or for reimbursing the Consolidated Revenue Fund for any moneys expended for any of such purposes, provided that the principal amount of any securities issued and temporary loans raised under the authority of this Act shall not exceed in the aggregate \$2,800,000,000.

Loans up to
\$2,800,000,000

R.S.O. 1980,
c. 161

(2) The sum of money authorized to be raised by subsection (1) for the purposes mentioned therein shall include the principal amounts of Province of Ontario debentures issued to the Teachers' Superannuation Fund under authority of the *Teachers' Superannuation Act, 1983* but shall be in addition to all sums of money authorized to be raised by way of loan under any other Act.

Idem

1983, c. 84

2. No money shall be raised by way of loan under subsection 1 (1) except to the extent authorized by order of the Lieutenant Governor in Council made on or before the 30th day of September, 1989.

Limitation

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. The short title of this Act is the *Ontario Loan Act, 1988* (No. 2).

Short title

CHAPTER 27

An Act to amend the Education Act and certain other Acts related to Education

Assented to June 1st, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 37 of subsection 1 (1) of the *Education Act*, being chapter 129 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

37. "population" means the population as determined by the latest enumeration taken under subsection 14 (1) of the *Assessment Act*.

R.S.O. 1980,
c. 31

2. Section 10 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 32, section 4, 1984, chapter 60, section 4 and 1986, chapter 64, section 12, is further amended by adding thereto the following subsections:

(10) The Lieutenant Governor in Council may make regulations, Regulations

- (a) prescribing the persons who shall make the determinations that are required to be made under subsections 206a (5) and (7) and the distribution that is required to be made under subsection 206a (11) and an alternative distribution that is required to be made under subsection 206a (17) and the manner in which and the time by which they shall be made;
- (b) governing the distribution of information that relates to the determinations that are required to be made under subsections 206a (5) and (7) and distributions that are required to be made under subsection 206a (11) and an alternative distribution that is required to be made under subsection 206a (17) and information that relates to appeals and applications with respect to such determinations and distributions;

- (c) governing the nomination procedures for the election of members to boards from areas, including electoral areas established under subsections 277i (3) and (4), that are composed of all or part of two or more municipalities;
- (d) prescribing the duties to be performed by the clerks of the municipalities referred to in clause (c) and by the secretaries of boards in respect of nominations and elections.

Consistency
with
*Municipal
Elections Act*
R.S.O. 1980,
c. 308

(11) A regulation made under clause (10) (c) or (d) shall not be inconsistent with the *Municipal Elections Act* except to the extent necessary to ensure that the nominations and the election referred to in those clauses are carried out in an efficient and orderly manner.

3. Subsection 53 (4) of the said Act is amended by striking out "pursuant to subsection 59 (9)" in the fifth line and inserting in lieu thereof "under subsection 206a (11) or (17)".

4. Subsection 54 (1) of the said Act, as amended by the Statutes of Ontario, 1982, chapter 32, section 15, is further amended by adding thereto the following clause:

- (f) provide for the continuation of representation when a municipality is detached from one school division and added to another.

5.—(1) Subsection 55 (1) of the said Act is amended by striking out "sections 52 to 59" in the third and fourth lines and inserting in lieu thereof "sections 52 to 56, section 136i, and Parts VII-A and XI-A".

(2) Subsection 55 (4) of the said Act is amended by inserting after "board" in the first line "other than a member of a French-language or English-language section".

6. Subsections 56 (4), (5), (6), (7) and (8) of the said Act are repealed.

7. Sections 57 and 58 of the said Act are repealed.

8. Section 59 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 32, section 16 and 1984, chapter 60, section 6, is repealed.

9. Section 61 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 32, section 17, is repealed.

10. Subsection 83 (6) of the said Act is repealed.

11. Subsection 88 (3) of the said Act is amended by striking out "section 90 or 100" in the eighth line and inserting in lieu thereof "section 100 or subsection 206a (6)".

12. Subsection 90 (1), as amended by the Statutes of Ontario, 1982, chapter 32, section 27, and subsections 90 (2) and (3) of the said Act are repealed.

13. Section 91 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 32, section 28, is repealed.

14. Section 92 of the said Act is repealed.

15.—(1) Subsection 103 (4) of the said Act is amended by striking out "section 90" in the fifth line and inserting in lieu thereof "subsection 206a (6)".

(2) Subsection 103 (7) of the said Act is amended by striking out "subsection 113 (21)" in the fifth line and inserting in lieu thereof "subsection 206a (11) or (17)".

16.—(1) Subsection 105 (2) of the said Act is amended by adding thereto the following clause:

- (d) providing for the continuation of representation when a municipality is detached from one combined school zone and added to another.

(2) Subsection 105 (4) of the said Act is amended by striking out "sections 113 to 115" in the last line and inserting in lieu thereof "sections 115 and 206a".

17. Subsection 106 (2) of the said Act is repealed.

18. Subsections 110 (4), (5), (6), (7) and (8) of the said Act are repealed.

19. Subsection 112 (3) of the said Act, as amended by the Statutes of Ontario, 1981, chapter 47, section 18, is repealed.

20. Section 113 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 32, section 37 and 1984, chapter 60, section 7, is repealed.

21. Subsection 115 (1) of the said Act is amended by inserting after "sections 105 to 118" in the third line "and section 206a".

22.—(1) Subsection 116 (1) of the said Act is amended by inserting after “sections 105 to 118” in the third line “and section 206a”.

(2) Subsection 116 (2) of the said Act is amended by striking out “and shall consist of sixteen trustees” in the third and fourth lines.

(3) Subsections 116 (3), (4), (5) and (6) of the said Act are repealed.

23. Subsection 144 (2) of the said Act is amended by inserting after “Part IV” in the sixth line “and Part VII-A”.

24. The said Act is amended by adding thereto the following Part:

PART VII-A

TRUSTEE REPRESENTATION

Public and Separate School Boards

Definitions

206a.—(1) In this Part,

“board” means a board of education, an urban separate school board, a district combined separate school board or a county combined separate school board;

“coterminous Roman Catholic separate school board” means a Roman Catholic separate school board that has jurisdiction in an area that is also the area or part of the area of jurisdiction of a public board;

“electoral group” of a board means a category of persons that reside within the area of jurisdiction of the board;

“public school electoral group” means, with respect to a board, the electoral group that comprises exclusively persons who are public school supporters or public school electors and includes the dependants of the public school supporters and public school electors of the board;

“public school English-language electoral group” means the part of the public school electoral group that comprises exclusively persons who are not members of the public school French-language electoral group;

“public school French-language electoral group” means the part of the public school electoral group that comprises

exclusively persons who have the right under subsection 23 (1) or (2), without regard to subsection 23 (3) of the *Charter of Rights and Freedoms* to have their children receive their primary and secondary school instruction in the French language in Ontario and who choose to vote only for the members of the French-language component of the board and includes the dependants of these persons;

“public school supporter” means a ratepayer who is not a separate school supporter;

“separate school electoral group” means, with respect to a board, the electoral group that comprises exclusively persons who are separate school supporters or separate school electors and includes the dependants of the separate school supporters and separate school electors of the board;

“separate school English-language electoral group” means the part of the separate school electoral group that comprises exclusively persons who are not members of the separate school French-language electoral group;

“separate school French-language electoral group” means the part of the separate school electoral group that comprises exclusively persons who have the right under subsection 23 (1) or (2), without regard to subsection 23 (3) of the *Charter of Rights and Freedoms*, to have their children receive their primary and secondary school instruction in the French-language in Ontario and who choose to vote only for the members of the French-language component of the board and includes the dependants of these persons;

“total English-language electoral group” means,

- (a) for a public board where the coterminous Roman Catholic separate school board is not a Roman Catholic school board, the electoral group comprising the public school English-language electoral group and the separate school English-language electoral group,
- (b) for a public board where the coterminous Roman Catholic separate school board is a Roman Catholic school board, the public school English-language electoral group,
- (c) for a separate school board, the separate school English-language electoral group;

“total French-language electoral group” means,

- (a) for a public board where the coterminous Roman Catholic separate school board is not a Roman Catholic school board, the electoral group comprising the public school French-language electoral group and the separate school French-language electoral group,
- (b) for a public board where the coterminous Roman Catholic separate school board is a Roman Catholic school board, the public school French-language electoral group,
- (c) for a separate school board, the separate school French-language electoral group.

Elections

(2) The election of members of a board shall be conducted by the same officers and in the same manner as the election of members of the council of a municipality.

Change of boundaries

(3) The boundaries of the area of jurisdiction of a board or of a municipality that are to be altered as a result of,

- (a) a regulation made under subsection 54 (1) or 105 (2);
- (b) the establishment of a separate school zone under section 107;
- (c) an order of the Ontario Municipal Board;
- (d) an order of the Lieutenant Governor in Council under the *Municipal Boundary Negotiations Act, 1981*; or
- (e) any other Act,

1981, c. 70

R.S.O. 1980
c. 308

on or before the 1st day of January next following a regular election under the *Municipal Elections Act* shall be deemed, for the purposes of this Part, to have been so altered.

New city

(4) A new city that is to be erected on or before the 1st day of January next following a regular election under the *Municipal Elections Act* shall be deemed, for the purposes of this Part, to have been so erected.

Number of members on a board

(5) Subject to the increased number of members that may result from the application of rules 11, 12 and 13 of subsection (8) and the additional person that may be appointed by the board under section 165 to represent the interests of Indian pupils, the number of members on a board shall be deter-

mined in accordance with subsection (6) by the person prescribed by the regulations.

(6) A determination of the number of members on a board shall be made using the following rules, that shall be applied in order beginning with rule 1:

Rules for
determination

- 1. For a public board where the coterminous Roman Catholic separate school board is a Roman Catholic school board, the population of the separate school electoral group shall be deemed to be zero.
- 2. For a separate school board, the population of the public school electoral group shall be deemed to be zero.
- 3. The total population of all electoral groups of the board shall be equal to the sum of the populations of the public school electoral group and the separate school electoral group.
- 4. Subject to rule 6, the total number of members of a divisional board, an urban separate school board, a district combined separate school board or a county combined separate school board shall be the number of members set out in column 2 of the following table opposite the total population of all electoral groups of the board set out in column 1 of the following table:

TABLE

Column 1	Column 2
Total population of all electoral groups of the board	Total number of members
Less than 5,000 persons	8
5,000 or more, up to and including 8,999 persons	10
9,000 or more, up to and including 14,999 persons	12
15,000 or more, up to and including 49,999 persons	14
50,000 or more, up to and including 115,999 persons	15
116,000 or more, up to and including 182,999 persons	17

183,000 or more, up to and including 282,999 persons	18
283,000 or more, up to and including 382,999 persons	19
383,000 or more, up to and including 482,999 persons	20
483,000 or more persons	21

5. Subject to rule 6, the total number of members on a board of education that is not a divisional board shall be the number of members as set out in column 2 of the following table opposite the total population of all electoral groups of the board set out in column 1 of the following table:

TABLE	
Column 1	Column 2
Total population of all electoral groups of the board	Total number of members
Less than 140,000 persons	8
140,000 or more, up to and including 234,999 persons	10
235,000 or more, up to and including 329,999 persons	13
330,000 or more, up to and including 424,999 persons	16
425,000 or more persons	19

6. Where a board approves, by a resolution passed by an affirmative vote of three-quarters of the members of the board in the year immediately preceding the year of a regular election under the *Municipal Elections Act* or before the 10th day of August, 1988, an increase or decrease of either one or two in the number of members of the board, the number of members of the board shall be deemed to be so increased or decreased for the next two subsequent regular elections.

R.S.O. 1980,
c. 308

Number of
members for
each electoral
group of a
board

- (7) The number of members to be elected at each regular election under the *Municipal Elections Act* by the electors for each of the electoral groups of a board shall be determined in accordance with subsection (8) by the person prescribed by the regulations.

(8) A determination referred to in subsection (7) shall be made using the following rules, that shall apply in order starting with rule 1:

Rules for
determination

1. For a public board, where the coterminous Roman Catholic separate school board is a Roman Catholic school board, the population of the separate school electoral group shall be deemed to be zero.
2. For a separate school board, the population of the public school electoral group shall be deemed to be zero.
3. If the board is not required to establish either a French-language or English-language section under Part XI-A then,
 - i. the population of the public school French-language electoral group shall be added to the population of the public school English-language electoral group and this total population shall be deemed to be the population of the public school English-language electoral group for the purposes of the subsequent rules in this subsection,
 - ii. the population of the separate school French-language electoral group shall be added to the population of the separate school English-language electoral group and this total population shall be deemed to be the population of the separate school English-language group for the purposes of the subsequent rules in this subsection, and
 - iii. the population of the total French-language electoral group shall be deemed to be zero.
4. If the board is required to establish an English-language section under Part XI-A, a reference in rule 5, 6 or 7 to English-language shall be deemed to be a reference to French-language and a reference to French-language shall be deemed to be a reference to English-language.
5. The number of members to be elected by the electors of the public school English-language electoral group shall be calculated in accordance with the formula set out in subsection (9).

6. The number of members to be elected by the electors of the total French-language electoral group shall be calculated in accordance with the formula set out in subsection (9).
7. The number of members to be elected by the electors of the separate school English-language electoral group shall be calculated in accordance with the formula set out in subsection (9).
8. Where the sum of the number of members obtained using rules 5, 6 and 7 is less than the total number of members determined by the rules in subsection (6), the number of members to be elected by the electors of the electoral group whose number of members calculated under subsection (9) differs from the next lower integer by the greatest amount shall be increased by one.
9. Where the sum of the number of members obtained using rules 5, 6 and 7 is greater than the total number of members determined by the rules in subsection (6), the number of members to be elected by the electors of the electoral group whose number of members calculated under subsection (9) differs from the next higher integer by the greatest amount shall be decreased by one.
10. Where rule 8 or 9 is applied but cannot operate because the numbers of members calculated under subsection (9) for two or more electoral groups differ from the applicable integers by the same amount, the electoral group that shall have its number of members increased or decreased by one member shall be the largest electoral group.
11. Where the number of members calculated under rule 5 is less than three but greater than zero, then the number of members shall be deemed to be three.
12. Where the number of members calculated under rule 6 is less than three but greater than zero, then the number of members shall be deemed to be three.
13. Where the number of members calculated under rule 7 is less than one but greater than zero, then the number of members shall be deemed to be one.

(9) For the purposes of rules 5, 6 and 7 of subsection (8), the number of members shall be calculated using the following formula:

Calculation of number of members for purposes of rules 5, 6 and 7

$$\text{number of members} = \frac{a \times b}{c}$$

where a = the total number of members of the board determined by the rules in subsection (6)

b = the population of the electoral group to which the rule applies

c = the total population of all electoral groups of the board determined under rule 3 of subsection (6).

(10) For the purposes of rules 5, 6 and 7 of subsection (8) and rule 2 of subsection (18), the calculation shall be correct to the nearest integer with the fraction one-half being raised to the next higher integer. Idem

(11) After the determinations required under this section are made, a distribution of those members that represent the electors of an electoral group of the board shall be made in accordance with subsection (12) by the person prescribed by the regulations to, Distribution of members

- (a) the municipalities or combination of municipalities that comprise the area of jurisdiction of a board; or
- (b) the electoral areas established under subsection (21) or combination of such electoral areas in a municipality.

(12) A distribution shall be made separately for each electoral group for which a distribution is not otherwise provided under section 277i or subsection 277t (1) according to the following rules that shall be applied in order beginning with rule 1: Rules for distribution

1. Calculate the electoral quotient for each municipality and electoral area using the following formula:

$$\text{electoral quotient} = \frac{a \times b}{c}$$

where a = the population of the electoral group resident in the municipality or electoral area

b = the total number of members that represents the electors of the electoral group calculated by the rules in subsection (8)

c = the total population of the electoral group.

2. The number of members that represent the electors of the electoral group for a municipality or electoral area shall be, as nearly as practicable, its electoral quotient.
3. Two or more adjoining municipalities or two or more adjoining electoral areas within a municipality may be combined so that the sum of the electoral quotients of the municipalities or electoral areas so combined is as nearly as practicable an integer.
4. The number of members that represent the electors of the electoral group for a combination of municipalities or for a combination of electoral areas within a municipality shall be as nearly as practicable, the sum of the electoral quotients of the municipalities or electoral areas so combined.

Designation
by board

(13) A board may by a resolution passed by an affirmative vote of three-quarters of the members of the board designate one or more municipalities wholly or partly within the area of jurisdiction of the board as a low population municipality or municipalities.

Resolution
by members
representing
electoral
group

(14) Where a board has made a designation under subsection (13), the members of the board who represent an electoral group may direct, by a resolution passed by an affirmative vote of three-quarters of those members, that,

- (a) an alternative distribution of members representing that electoral group be made to the municipality or municipalities designated by the board under subsection (13); and
- (b) the sum of the electoral quotients for the municipality or municipalities be increased by one or by two.

Effect of
resolution
R.S.O. 1980,
c. 308

(15) A resolution passed under subsection (13) or (14) shall be passed in the year of a regular election under the *Municipal Elections Act* and shall be effective only for the purposes of the regular election to be held in that year.

(16) A resolution under subsection (13) or (14) has no effect unless it is made not later than five days after the date on which a distribution under subsection (11) is required to be made. Idem

(17) Pursuant to a resolution passed by the members of an electoral group of a board under subsection (14), an alternative distribution of those members that represent the electors of an electoral group of the board shall be made in accordance with subsection (18) by the person prescribed by the regulations to, Distribution of members

- (a) the municipalities or combination of municipalities that comprise the area of jurisdiction of a board; or
- (b) the electoral areas established under subsection (21) or combination of such electoral areas in a municipality.

(18) An alternative distribution for an electoral group shall be made according to the following rules that shall be applied in order beginning with rule 1: Rules for distribution

1. Place the municipalities in two groups, one of which shall be comprised of the municipality or municipalities designated under subsection (13) and one of which shall be comprised of the remaining municipalities.
2. Calculate the sum of the electoral quotients, determined under subsection (12), for each group of municipalities.
3. For the group of municipalities that is designated under subsection (13), add to the sum of the electoral quotients the number one or two as determined by resolution of the electoral group passed under subsection (14).
4. For the group of the remaining municipalities, subtract from the sum of the electoral quotients one or two, as the case may be.
5. Calculate the alternative electoral quotient for each municipality and electoral area using the following formula:

$$\text{alternative electoral quotient} = \frac{a \times b}{c}$$

where a = the population of the electoral group resident in the municipality or electoral area

b = the number calculated by rule 3 or 4, as the case requires

c = the total population of the electoral group resident in the group of municipalities to which the municipality or electoral area belongs.

6. The number of members that represent the electors of the electoral group for a municipality or electoral area shall be, as nearly as practicable, its alternative electoral quotient.
7. Two or more adjoining municipalities that were placed under rule 1 in the same group or two or more adjoining electoral areas within a municipality may be combined so that the sum of the alternative electoral quotients of the municipalities or electoral areas so combined is as nearly as practicable an integer.
8. The number of members that represent the electors of the electoral group for a combination of municipalities or for a combination of electoral areas shall be, as nearly as practicable, the sum of the alternative electoral quotients of the municipalities or electoral areas so combined.

Effect of
alternative
distribution

(19) An alternative distribution of those members that represent the electors of an electoral group that is made under subsection (17) shall, in lieu of the distribution that is required to be made under subsection (11), be the distribution for those members at the next regular election under the *Municipal Elections Act* and for the purposes of sections 206b and 206c shall be deemed to be a distribution made under subsection 206a (11).

R.S.O. 1980,
c. 308

Election by
general vote

(20) The members representing an electoral group for a municipality shall be elected by general vote of the electors eligible to vote in the municipality for those members.

Electoral
areas in a
municipality

(21) Notwithstanding subsection (20), where the number of members representing an electoral group to be elected under that subsection may be two or more, the council of the municipality may, where so requested by the board, by by-law divide the municipality into two or more electoral areas for

the purposes of an election under the *Municipal Elections Act* and a member representing an electoral group for an electoral area shall be elected by general vote of the electors eligible to vote in the electoral area for that member.

R.S.O. 1980,
c. 308

(22) A by-law referred to in subsection (21) and a by-law repealing any such by-law shall not be passed later than the 1st day of February in the year of a regular election under the *Municipal Elections Act* and shall take effect for the purpose of the regular election next following the passing of the by-law and remain in force until repealed.

Time for
passing by-
law

(23) Notwithstanding section 277i, where a municipality is divided into wards, an electoral area may include one or more wards but each ward shall be located entirely within the electoral area.

Wards in
electoral
areas

(24) Where two or more municipalities or electoral areas are combined for the election of one or more members who represent an electoral group, the member or members shall be elected by a general vote of the electors eligible to vote in the combined municipalities or combined electoral areas, as the case may be, for those members.

Election in
combined
municipalities

Appeal

206b.—(1) After the determinations are made as required under subsections 206a (5) and (7) and the distribution is made as required under subsection 206a (11) with respect to a board, the determinations and the distribution or the distribution may be appealed to a judge.

Appeal

(2) An appeal under this section shall be made by the council of any municipality concerned or a board on behalf of any territory without municipal organization that is deemed a district municipality.

Idem

(3) An appeal on a distribution only may be made only where the distribution allots to a municipality or to a combination of municipalities a number of members to be elected by the electors of an electoral group that is different from the electoral quotient of the municipality or the sum of the electoral quotients for the combined municipalities by an amount that is greater than 0.05 times the total number of members to be elected by the electoral group.

Appeal on
distribution

(4) An appeal shall be made within twenty days after the date prescribed by the regulations for a determination to be made.

Time for
appeal

Time for
decision

(5) The judge shall make a decision with respect to an appeal within thirty days after the appeal is commenced.

Decision of
judge on
appeal

(6) The judge on an appeal under this section may,

- (a) vary a determination or distribution that is the subject of the appeal; or
- (b) confirm that a determination or distribution that is the subject of the appeal was made in accordance with section 206a.

Idem

(7) The decision of a judge on an appeal under this section is final and the appropriate person prescribed by the regulations to make the determination or distribution shall forthwith make such changes as the judge requires.

Where no
appeal

(8) Where an appeal is not made or is not made within a time referred to in subsection (4), a board shall be deemed to be properly constituted notwithstanding any defect in a determination or distribution.

Applications

Application
for determi-
nation or
distribution

206c.—(1) An application may be made to a judge to make,

- (a) the determinations that are required to be made under subsections 206a (5) and (7) and the distribution that is required to be made under subsection 206a (11); or
- (b) the distribution that is required to be made under subsection 206a (11),

where the determinations and the distribution are not made or a distribution is not made.

Idem

(2) An application under this section shall be made by the council of any municipality concerned or a board on behalf of any territory without municipal organization that is deemed a district municipality.

Time for
application

(3) An application shall be made within twenty days after the date prescribed by the regulations for a determination to be made.

Time for
determination

(4) The judge shall make the determinations and distribution or the distribution, as the case requires, within thirty days after the application is commenced.

(5) A determination or distribution made by a judge under subsection (4) is not subject to appeal and shall be deemed to be a determination or distribution made under section 206a.

Determination or distribution final

(6) Where,

No determination or distribution

(a) determinations and distributions are not made;

(b) a distribution is not made; or

(c) the judge does not deal with the application within the thirty day time period required,

the determinations and distribution or the distribution, as the case may be, at the last regular election under the *Municipal Elections Act* shall be deemed to be the determinations and distribution or the distribution for the purposes of the next regular election.

R.S.O. 1980, c. 308

25. The said Act is further amended by adding thereto the following section:

206d.—(1) Upon the application of a board authorized by a resolution thereof, or upon the application of petitioners in accordance with subsection (4), the Ontario Municipal Board may, by order,

Electoral areas

(a) divide or redivide a municipality within the area of jurisdiction of a school board into electoral areas and shall designate the name or number each electoral area shall bear and shall declare the date the division or redivision shall take effect;

(b) alter or dissolve any or all of the electoral areas created by an order under clause (a) and shall declare the date when such alterations or dissolutions shall take effect; and

(c) notwithstanding the *Municipal Elections Act* or section 206a or the regulations, make such provisions as are considered necessary for the holding of elections of members to the board by electors in electoral areas created or altered under this subsection.

R.S.O. 1980, c. 308

(2) Notwithstanding clause (1) (a) or (b), the Ontario Municipal Board may not create an electoral area under those clauses that contains part only of a ward.

Limitation

(3) While a provision of an order of the Ontario Municipal Board authorized by subsection (1) is in effect for the pur-

Election

poses of an election, the members of the board to be elected at the election by electors shall be elected in accordance with the provision of the order and not in accordance with subsection 206a (21).

Petition

(4) A petition of 150 or more persons who are qualified to elect members to the board may be presented to a school board requesting the board to apply to the Ontario Municipal Board to divide or redivide a municipality within the area of jurisdiction of the board into electoral areas or to alter or dissolve any or all of the existing electoral areas created by order of the Ontario Municipal Board, and if the board refuses or neglects to make the application within one month after receipt by the board of the petition, the petitioners or any of them may apply to the Ontario Municipal Board for the division, redivision, alteration or dissolution, as the case may be.

Electoral
area

(5) An electoral area established by the Ontario Municipal Board under this section shall be deemed to be an electoral area referred to in subsection 206a (21).

26. Section 277f of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is repealed.

27.—(1) Subsection 277i (8) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is amended by striking out “other members” in the sixth line and inserting in lieu thereof “members of the French-language section”.

(2) Subsection 277i (11) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is repealed.

28.—(1) Subsection 277q (2) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is repealed.

(2) Subsection 277q (4) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is amended by striking out “subsections (1) and (2)” in the second line and inserting in lieu thereof “subsection (1)”.

(3) Subsection 277q (5) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is amended by striking out “subsections (1) and (2)” in the second line and inserting in lieu thereof “subsection (1)”.

(4) Clause 277q (6) (a) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is amended

by striking out “subsections (1) and (2)” in the second and third lines and inserting in lieu thereof “subsection (1)”.

(5) Clause 277q (6) (b) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is repealed.

(6) Clause 277q (6) (d) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is repealed and the following substituted therefor:

- (d) shall ensure that public notice is given that the board qualifies under this Part to have a French-language section.

(7) Subsection 277q (7) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is amended by striking out “subsections (1) and (2)” in the second line and inserting in lieu thereof “subsection (1)”.

(8) Clause 277q (9) (b) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is repealed.

(9) Clause 277q (9) (d) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 11, is repealed and the following substituted therefor:

- (d) shall ensure that public notice is given that the board qualifies under this Part to have a French-language section,

.

29.—(1) Subsection 118 (2) of the *Municipality of Metropolitan Toronto Act*, being chapter 314 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1984, chapter 18, section 10, is repealed.

(2) Subsection 118 (3) of the said Act is repealed.

(3) Subsection 118 (4) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 9, section 2, is repealed.

(4) Subsections 120b (3), (5), (6), (7), (11) and (12) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 29, section 13, are repealed and the following substituted therefor:

(3) The Council is a body corporate.

Body
corporate

(5) Subsection 121 (2) of the said Act, as amended by the Statutes of Ontario, 1984, chapter 18, section 11, 1986, chapter 21, section 6 and 1986, chapter 29, section 13, is repealed and the following substituted therefor:

Members of
School Board

(2) On and after the 1st day of December, 1988, the School Board shall be composed of the chairman of, and other members appointed by, each board of education in Metropolitan Toronto in accordance with subsection (2a).

Numbers of
members

(2a) The total number of members, including the chairman, representing each board of education shall be the number of members set out in column 2 of the following table opposite the total population of all electoral groups of the board set out in column 1 of the following table:

TABLE

Column 1	Column 2
Total population of all electoral groups of the board of education	Total number of members
Less than 112,500 persons	1
112,500 or more, up to and including 187,499 persons	2
187,500 or more, up to and including 262,499 persons	3
262,500 or more, up to and including 337,499 persons	4
337,500 or more, up to and including 412,499 persons	5
412,500 or more persons	6

(6) Subsection 121 (3) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 29, section 13, is repealed and the following substituted therefor:

Alternate
members

(3) A board of education, for which only one member is also a member of the School Board, may appoint one of its members as an alternate member of the School Board and the alternate member may attend the meetings of the School Board and of its committees, but shall not vote in meetings of the School Board or of its committees except in the absence of the chairman of the board of education to which the alternate member belongs.

(7) Subsection 121 (6) of the said Act is repealed.

(8) Subsection 122 (3) of the said Act is repealed and the following substituted therefor:

(3) A person who is entitled to be a member of the School Board under subsection 121 (2) or an alternate member of the School Board under subsection 121 (3) shall not take a seat on the School Board until the person has filed at the first meeting of the School Board a certificate under the hand of the secretary of the board of education and under the seal of such board certifying that the person is entitled to be a member or an alternate member, as the case may be.

Certificate of qualification

(9) Subsection 122 (5) of the said Act is amended by striking out "at least nine" in the second line and inserting in lieu thereof "a majority of the".

(10) Subsection 124 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 9, section 4, is repealed and the following substituted therefor:

(1) The number of members of the School Board necessary to form a quorum is the majority of the number of members of which the School Board is composed under subsection 121 (2) and the concurring votes of a majority of the members of the School Board present who are entitled to vote on any matter are necessary to carry the matter.

Quorum voting

(11) Subsection 124 (3) of the said Act is repealed.

(12) Subsections 125 (4) and (5) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 9, section 5, are repealed.

(13) Subsections 126 (2), (3) and (4) of the said Act are repealed and the following substituted therefor:

(2) If a vacancy occurs in the office of an appointed member, the board of education of which the person was a member shall, within fifteen days after the vacancy occurs, appoint a successor from among its members to hold office for the remainder of the term of the person.

Other members

(3) The chairman of the School Board may resign the office as chairman without resigning from the board of education to which the chairman belongs.

Resignation of chairman

30. Section 151 of the *Regional Municipality of Durham Act*, being chapter 434 of the Revised Statutes of Ontario, 1980, is repealed.

31. Section 145 of the *Regional Municipality of Halton Act*, being chapter 436 of the Revised Statutes of Ontario, 1980, is repealed.

32. Section 158 of the *Regional Municipality of Hamilton-Wentworth Act*, being chapter 437 of the Revised Statutes of Ontario, 1980, is repealed.

33.—(1) Subsection 153 (2) of the *Regional Municipality of Ottawa-Carleton Act*, being chapter 439 of the Revised Statutes of Ontario, 1980, is amended by striking out “composed of seventeen members” in the third line.

(2) Subsection 153 (3) of the said Act is repealed.

(3) Subsections 153 (3a), (3b), (3c) and (3d) of the said Act, as enacted by the Statutes of Ontario, 1982, chapter 49, section 21, are repealed.

(4) Subsections 153 (4) and (5) of the said Act are repealed.

(5) Subsection 154 (4) of the said Act is repealed.

(6) Section 155 of the said Act is amended by inserting after “Part III” in the first line “and Part VII-A”.

34. Section 140 of the *Regional Municipality of Peel Act*, being chapter 440 of the Revised Statutes of Ontario, 1980, is repealed.

35. Section 123 of the *Regional Municipality of Sudbury Act*, being chapter 441 of the Revised Statutes of Ontario, 1980, is repealed.

36. Section 173 of the *Regional Municipality of Waterloo Act*, being chapter 442 of the Revised Statutes of Ontario, 1980, is repealed.

37. Section 137 of the *County of Oxford Act*, being chapter 365 of the Revised Statutes of Ontario, 1980, is repealed.

38.—(1) Subsection 2 (3) of *The Metropolitan Separate School Board Act, 1953*, being chapter 119, is repealed and the following substituted therefor:

Composition
of board

R.S.O. 1980,
c. 129

(3) The Metropolitan Board shall consist of such number of members as is determined in accordance with Part VII-A of the *Education Act*.

(2) Section 4 of the said Act is repealed and the following substituted therefor:

4. Notwithstanding the *Municipal Elections Act*, the oath to be taken by a voter shall be as set out in Schedule B.

Oath
R.S.O. 1980,
c. 308

(3) Clauses 13 (b), (c) and (d) of the said Act are repealed.

(4) Section 17 of the said Act is repealed and the following substituted therefor:

17. Except as otherwise provided in this Act, the Metropolitan Board shall be an urban separate school board within the meaning of the *Education Act* and with respect to the district shall enjoy all the rights, powers and privileges of and be subject to all the obligations imposed upon an urban separate school board by that Act.

Metropolitan
Board to be
urban
separate
school board
R.S.O. 1980,
c. 129

(5) Schedule A to the said Act is repealed.

39. Section 3 of *The City of Sault Ste. Marie Act, 1977*, being chapter 103, is repealed.

40. Clause 32 (d) of *The City of Timmins-Porcupine Act, 1972*, being chapter 117, is repealed.

41.—(1) Notwithstanding that sections 1 to 40 do not come into force until the 1st day of December, 1988, the regular elections to be held in 1988 under the *Municipal Elections Act* shall be conducted and the determinations and distributions in respect of those elections, including appeals and applications with respect thereto, shall be made as if sections 1 to 40, except section 25, of this Act were in force.

Transition

R.S.O. 1980,
c. 308

(2) Notwithstanding that sections 1 to 40 do not come into force until the 1st day of December, 1988, where members of a board were elected in a municipality to represent areas established or continued under subsection 59 (23) or 113 (19) of the *Education Act* or under clause 32 (d) of *The City of Timmins-Porcupine Act, 1972* or to represent zones established by the Municipal Board under subsection 153 (3a) of the *Regional Municipality of Ottawa-Carleton Act* or to represent wards at the regular election held under the *Municipal Elections Act* in 1985, those areas, zones or wards or those areas, zones or wards as altered prior to the 2nd day of February, 1988, shall, unless dissolved, be deemed to be electoral areas established prior to that date under subsection 206a (21) of the *Education Act*, as enacted by section 24 of this Act, as if that subsection were in force.

Idem

R.S.O. 1980,
c. 129

1972, c. 117
R.S.O. 1980,
cc. 439, 308

Idem

(3) Notwithstanding subsection (2), for purposes of the election of members of the Metropolitan Separate School Board or of a board of education in Metropolitan Toronto, the local wards established by the Lieutenant Governor in Council for the regular elections to be held in 1988 in an area municipality within the meaning of the *Municipality of Metropolitan Toronto Act* shall be deemed to be electoral areas established, prior to the 2nd day of February, 1988, by the council of the area municipality at the request of the Metropolitan Separate School Board or of the board of education, as the case may be, under subsection 206a (21) of the *Education Act*, as enacted by section 24 of this Act, as if that subsection were in force.

R.S.O. 1980,
c. 314

Idem

(4) The Minister may by order increase or decrease the total number of members to be elected to the Metropolitan Toronto French-language School Council by one or two members for the purposes of the regular elections to be held in 1988 under the *Municipal Elections Act*.

Idem

(5) Notwithstanding subsection (2), where a municipality within the area of jurisdiction of a board was divided into wards on the 1st day of February, 1988, the board may, by resolution made on or before the 10th day of August, 1988, establish the wards as electoral areas for the purposes of the election of members of the board in the regular elections to be held in 1988 under the *Municipal Elections Act*.

R.S.O. 1980,
c. 308Commence-
ment

42.—(1) Subject to subsection (2), this Act comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1 to 40 come into force on the 1st day of December, 1988.

Short title

43. The short title of this Act is the *Education Statute Law Amendment Act, 1988*.

CHAPTER 28

**An Act for granting to Her Majesty
certain sums of money for the Public Service
for the fiscal year ending the 31st day of March, 1988**

Assented to June 1st, 1988

MOST GRACIOUS SOVEREIGN:

Whereas it appears by messages from the Honourable Lincoln Alexander, Lieutenant Governor of the Province of Ontario, and from the estimates and supplementary estimates accompanying the same, that the sums mentioned in the Schedule to this Act are required to defray certain charges and expenses of the public service of this Province, not otherwise provided for, for the fiscal year ending the 31st day of March, 1988; may it therefore please Your Majesty that it be enacted and it is hereby enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

1.—(1) There may be paid out of the Consolidated Revenue Fund a sum not exceeding in the whole \$20,628,455,700 to be applied towards defraying the several charges and expenses of the public service, not otherwise provided for, from the 1st day of April, 1987, to the 31st day of March, 1988, as set forth in the Schedule to this Act, and, subject to subsection (2), such sum shall be paid and applied only in accordance with the votes and items of the estimates and supplementary estimates upon which the Schedule is based.

\$20,628,455,700
granted for
fiscal year
1987-88

(2) Where, in the fiscal year ending the 31st day of March, 1988, powers and duties were assigned and transferred from one minister of the Crown to another minister of the Crown, the appropriate sums in the votes and items of the estimates and supplementary estimates upon which the Schedule is based that are approved to defray the charges and expenses of the public service in the exercise and performance of such powers and duties, may be assigned and transferred from time to time as required by certificate of the Management Board of Cabinet to the ministry administered by the minister to whom the powers and duties are so assigned and transferred.

Exception

Accounting
for
expenditure

2. The due application of all moneys expended under this Act shall be accounted for to Her Majesty.

Commence-
ment

3. This Act shall be deemed to have come into force on the 31st day of March, 1988.

Short title

4. The short title of this Act is the *Supply Act, 1988*.

SCHEDULE

	ESTIMATES	SUPPLEMENTARY ESTIMATES	TOTAL
	\$	\$	\$
Agriculture and Food	354,166,800	5,064,400	359,231,200
Assembly, Office of the	66,670,900	7,919,300	74,590,200
Attorney General	246,640,600	15,062,700	261,703,300
Cabinet Office	6,057,400	0	6,057,400
Chief Election Officer, Office of the	361,600	0	361,600
Citizenship and Culture	177,487,800	0	177,487,800
Colleges and Universities	1,721,980,800	7,500,000	1,729,480,800
Community and Social Services	2,480,324,100	101,177,200	2,581,501,300
Consumer and Commercial Relations	89,065,900	5,999,300	95,065,200
Correctional Services	261,342,000	0	261,342,000
Disabled Persons, Office for	2,519,000	1,100,000	3,619,000
Education	1,803,332,200	82,800,000	1,886,132,200
Energy	27,092,000	2,446,000	29,538,000
Environment	294,584,600	8,771,900	303,356,500
Financial Institutions	16,643,600	0	16,643,600
Government Services	357,300,100	8,478,000	365,778,100
Health	8,030,936,600	71,212,300	8,102,148,900
Housing	267,957,500	3,337,700	271,295,200
Industry, Trade and Technology	154,358,700	4,567,000	158,925,700
Intergovernmental Affairs	5,071,100	0	5,071,100
Labour	79,069,500	0	79,069,500
Lieutenant Governor, Office of the	366,000	0	366,000
Management Board	196,018,300	0	196,018,300
Municipal Affairs	381,339,000	4,414,300	385,753,300
Native Affairs, Office Responsible for	3,029,800	0	3,029,800
Natural Resources	370,585,900	4,500,000	375,085,900
Northern Development and Mines	171,197,900	0	171,197,900
Ombudsman, Office of the	5,021,700	92,100	5,113,800
Premier, Office of the	1,313,500	0	1,313,500
Provincial Auditor, Office of the	4,895,300	0	4,895,300
Revenue	370,496,100	57,500,000	427,996,100
Senior Citizens Affairs, Office		0	
Responsible for	2,578,000	0	2,578,000
Skills Development	317,011,900	3,057,800	320,069,700
Solicitor General	278,430,600	0	278,430,600
Tourism and Recreation	138,364,900	0	138,364,900
Transportation		64,075,000	64,075,000
Transportation and Communications	1,324,389,600	0	1,324,389,600
Treasury and Economics	147,636,600	0	147,636,600
Women's Issues, Office Responsible for	13,742,800	0	13,742,800
TOTAL	20,169,380,700	459,075,000	20,628,455,700

CHAPTER 29

An Act to amend the Proceedings Against the Crown Act

Assented to June 8th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 25 (2a) of the *Proceedings Against the Crown Act*, being chapter 393 of the Revised Statutes of Ontario, 1980, as enacted by the Statutes of Ontario, 1985, chapter 6, section 16, is amended by adding at the end thereof “subject to section 7 of the *Wages Act*”.

(2) Subsection 25 (3) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 88, section 1 and amended by the Statutes of Ontario, 1985, chapter 6, section 16, is repealed and the following substituted therefor:

(3) A garnishment is effective against the Crown only in respect of amounts payable on behalf of the administrative unit served with notice of garnishment to the person named in the notice of garnishment. Limitation

(4) The Lieutenant Governor in Council may make regulations, Regulations

- (a) prescribing the method of service on the Crown of notices of garnishment in place of the method prescribed in section 14;
- (b) providing that a notice of garnishment issued against the Crown is not effective unless a statement of particulars in the prescribed form is served with the notice of garnishment;
- (c) providing that a notice of garnishment issued against the Crown shall be deemed to be served on the day that is the number of days specified in the regulation after the actual date of service or after the effective date of service under the rules of the

court that issued the notice of garnishment, as the case may be, but the regulation shall not specify more than thirty days as the number of days;

- (d) prescribing the form of statement of particulars for the purposes of this section.

Interpretation (5) In this section, "administrative unit" means a Ministry of the Government of Ontario, a Crown agency within the meaning of the *Crown Agency Act* or the Office of the Assembly under the *Legislative Assembly Act*.

R.S.O. 1980,
cc. 106, 235

Commence-
ment

2. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

3. The short title of this Act is the *Proceedings Against the Crown Amendment Act, 1988*.

CHAPTER 30

An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law

Assented to June 8th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definition	1. —(1) In this Act,
Code	“Model Law” means the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law on June 21, 1985, as set out in the Schedule.
Idem	(2) Except as otherwise provided, words and expressions used in this Act have the same meaning as the corresponding words and expressions in the Model Law.
Definition of “this State” in Model Law	(3) In article 1 (1) of the Model Law, an “agreement in force between this State and any other State or States” means an agreement between Canada and any other country or countries that is in force in Ontario.
Idem	(4) In articles 34 (2) (b) (i) and 36 (1) (b) (i) of the Model Law, “the law of this State” means the laws of Ontario and any laws of Canada that are in force in Ontario.
Idem	(5) In article 35 (2) of the Model Law, “this State” means Canada.
Idem	(6) In articles 1 (2) and (5), 27, 34 (2) (b) (ii) and 36 (1) (b) (ii) of the Model Law, “this State” means Ontario.
Definition of “different States” in Model Law	(7) In article 1 (3) of the Model Law, “different States” means different countries, and “the State” means the country.

CHAPITRE 30

**Loi portant mise en application de la Loi type
sur l'arbitrage commercial international adoptée
par la Commission des Nations Unies pour le droit
commercial international**

Sanctionnée le 8 juin 1988

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

1 (1) La définition qui suit s'applique à la présente loi. Définition

«Code» La Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international le 21 juin 1985 et dont le texte est reproduit à l'annexe. «Model Law»

(2) Sauf disposition contraire, les termes de la présente loi s'entendent au sens du Code. Idem

(3) À l'article 1 (1) du Code, l'expression «accord multilatéral ou bilatéral en vigueur pour le présent État» s'entend de l'accord multilatéral ou bilatéral auquel le Canada est partie et qui est en vigueur en Ontario. Définition de «présent État» dans le Code

(4) Aux articles 34 (2) b) (i) et 36 (1) b) (i) du Code, l'expression «la loi du présent État» s'entend des lois de l'Ontario ainsi que des lois du Canada qui sont en vigueur en Ontario. Idem

(5) À l'article 35 (2) du Code, l'expression «le présent État» s'entend du Canada. Idem

(6) Aux articles 1 (2) et (5), 27, 34 (2) b) (ii) et 36 (1) b) (ii) du Code, l'expression «le présent État» s'entend de l'Ontario. Idem

(7) À l'article 1 (3) du Code, l'expression «États différents» s'entend des pays différents, et le terme «l'État» s'entend du pays. Définition d'«États différents» dans le Code

- Definition of "competent court" in Model Law (8) In the Model Law, a reference to "a competent court" means the Supreme or District Court.
- Model Law in force in Ontario **2.**—(1) Subject to this Act, the Model Law is in force in Ontario.
- Application (2) The Model Law applies to international commercial arbitration agreements and awards, whether made before or after the coming into force of this Act.
- Idem (3) Despite article 1 (3) (c) of the Model Law, an arbitration conducted in Ontario between parties that all have their places of business in Ontario is not international only because the parties have expressly agreed that the subject-matter of the arbitration agreement relates to more than one country.
- Conciliation and other proceedings **3.** For the purpose of encouraging settlement of a dispute, an arbitral tribunal may, with the agreement of the parties, use mediation, conciliation or other procedures at any time during the arbitration proceedings and, with the agreement of the parties, the members of the arbitral tribunal are not disqualified from resuming their roles as arbitrators by reason of the mediation, conciliation or other procedure.
- Removal of arbitrator **4.**—(1) Unless the parties otherwise agree, if an arbitrator is replaced or removed in accordance with the Model Law, any hearing held prior to the replacement or removal shall start afresh.
- Idem (2) The parties may remove an arbitrator or a substitute arbitrator at any time prior to the final award, regardless of how the arbitrator was appointed.
- Article 11 (1) of Model Law replaced **5.** Article 11 (1) of the Model Law shall be deemed to read as follows:
- (1) A person of any nationality may be an arbitrator.
- Rules applicable to substance of dispute **6.** Despite article 28 (2) of the Model Law, if the parties fail to make a designation pursuant to article 28 (1) of the Model Law, the arbitral tribunal shall apply the rules of law it considers to be appropriate given all the circumstances respecting the dispute.
- Consolidation of proceedings **7.**—(1) The Supreme or District Court, on the application of the parties to two or more arbitration proceedings, may order,
- (a) the arbitration proceedings to be consolidated, on terms it considers just;

(8) La mention de «tribunal compétent» dans le Code s'entend de la Cour suprême ou de la Cour de district.

Définition de «tribunal compétent» dans le Code

2 (1) Sous réserve de la présente loi, le Code est en vigueur en Ontario.

Code en vigueur en Ontario

(2) Le Code s'applique aux conventions d'arbitrage commercial international conclues et aux sentences arbitrales rendues avant ou après l'entrée en vigueur de la présente loi.

Champ d'application

(3) Malgré l'article 1 (3) c) du Code, l'arbitrage qui a lieu en Ontario entre des parties qui toutes ont leur établissement en Ontario, n'est pas considéré comme international pour la seule raison que les parties sont convenues expressément que l'objet de la convention d'arbitrage a des liens avec plus d'un pays.

Idem

3 Pour faciliter le règlement d'un différend, le tribunal arbitral peut, à toute étape de la procédure arbitrale, avoir recours, avec l'accord des parties, à la médiation, à la conciliation ou à tout autre mode de règlement. Il peut également, avec leur accord, reprendre son rôle d'arbitre.

Conciliation et autres modes de règlement

4 (1) Toute procédure orale antérieure à un remplacement ou à une révocation d'arbitre conforme au Code est, sauf décision contraire des parties, à recommencer.

Révocation d'arbitre

(2) Les parties peuvent révoquer un arbitre ou un arbitre remplaçant n'importe quand avant la sentence définitive, indépendamment du mode de nomination de celui-ci.

Idem

5 L'article 11 (1) du Code est réputé rédigé comme suit :

L'article 11 (1) du Code est remplacé

(1) Une personne peut être nommée arbitre quelle que soit sa nationalité.

6 Malgré l'article 28 (2) du Code, à défaut par les parties de procéder à la désignation prévue à son article 28 (1), le tribunal arbitral applique les règles de droit qu'il estime indiquées compte tenu des circonstances de l'espèce.

Règles applicables au fond du différend

7 (1) La Cour suprême ou la Cour de district, sur demande des parties à plus d'une procédure arbitrale, peut ordonner :

Réunion de procédures

a) leur réunion, aux conditions qu'elle estime équitables;

- (b) the arbitration proceedings to be heard at the same time, or one immediately after another; or
- (c) any of the arbitration proceedings to be stayed until after the determination of any other of them.

Appointment
of arbitral
tribunal

(2) Where the court orders arbitration proceedings to be consolidated pursuant to clause (1) (a) and the parties to the consolidated arbitration proceedings are in agreement as to the choice of the arbitral tribunal for that arbitration proceeding, the court shall appoint the arbitral tribunal chosen by the parties, but, if the parties cannot agree, the Court may appoint the arbitral tribunal for that arbitration proceeding.

Court order
not required
for consoli-
dation

(3) Nothing in this section shall be construed as preventing the parties to two or more arbitration proceedings from agreeing to consolidate those arbitration proceedings and taking such steps as are necessary to effect that consolidation.

Stay of
proceedings

8. Where, pursuant to article 8 of the Model Law, a court refers the parties to arbitration, the proceedings of the court are stayed with respect to the matters to which the arbitration relates.

Interim
measures and
security

9. An order of the arbitral tribunal under article 17 of the Model Law for an interim measure of protection and the provision of security in connection with it is subject to the provisions of the Model Law as if it were an award.

Recognition
and
enforcement
of foreign
arbitral
awards

10. For the purposes of articles 35 and 36 of the Model Law, an arbitral award includes a commercial arbitral award made outside Canada, even if the arbitration to which it relates is not international as defined in article 1 (3) of the Model Law.

Enforcement

11.—(1) An arbitral award recognized by the court is enforceable in the same manner as a judgment or order of the court.

Idem

(2) An arbitral award recognized by the court binds the persons as between whom it was made and may be relied on by any of those persons in any legal proceeding.

Crown bound

12. This Act applies to an arbitration to which Her Majesty is a party.

Aids to
interpretation

13. For the purpose of interpreting the Model Law, recourse may be had, in addition to aids to interpretation ordinarily available under the law of Ontario, to,

- b) leur audition simultanée ou consécutive;
- c) le sursis de telle ou telle d'entre elles jusqu'à détermination de n'importe laquelle des autres.

(2) Dans les cas où la Cour ordonne la réunion prévue à l'alinéa (1) a) et où les parties à ces procédures sont d'accord sur le choix d'un tribunal arbitral, celui-ci est nommé par la Cour. À défaut d'accord des parties, elle peut nommer un tribunal arbitral pour ces procédures.

Nomination
du tribunal
arbitral

(3) Le présent article n'a pas pour effet d'empêcher les parties à plus d'une procédure arbitrale de s'entendre sur leur réunion et de prendre toutes mesures nécessaires à cette fin.

Réunion sans
ordonnance

8 Dans le cas où, en vertu de l'article 8 du Code, un tribunal renvoie les parties à l'arbitrage, il est sursis aux procédures devant ce tribunal qui sont liées aux questions se rapportant à l'arbitrage.

Sursis de
procédures

9 Est assujettie aux dispositions du Code comme s'il s'agissait d'une sentence, l'ordonnance du tribunal arbitral prévue à l'article 17 du Code qui porte sur les mesures provisoires ou conservatoires ainsi que le versement d'une provision appropriée.

Mesures
provisoires

10 Pour l'application des articles 35 et 36 du Code, une sentence arbitrale s'entend notamment d'une sentence arbitrale commerciale rendue à l'extérieur du Canada, même si l'arbitrage auquel elle est liée n'est pas international au sens de l'article 1 (3) du Code.

Reconnais-
sance et exé-
cution des
sentences
arbitrales
étrangères

11 (1) La sentence arbitrale reconnue par le tribunal est exécutoire comme s'il s'agissait d'un jugement ou d'une ordonnance rendus par le tribunal.

Exécution

(2) La sentence arbitrale reconnue par le tribunal lie les personnes à l'égard desquelles elle a été rendue. Ces personnes peuvent invoquer la sentence dans toute action en justice.

Idem

12 La présente loi s'applique à l'arbitrage auquel Sa Majesté est partie.

Couronne liée

13 Afin d'interpréter le Code, on peut avoir recours aux documents suivants :

Guide d'inter-
prétation

- (a) the Report of the United Nations Commission on International Trade Law on the work of its eighteenth session (June 3-21, 1985); and
- (b) the Analytical Commentary contained in the Report of the Secretary General to the eighteenth session of the United Nations Commission on International Trade Law,

as published in The Canada Gazette, Part I, Vol. 120, No. 40, October 4, 1986, Supplement.

Repeal

14. The *Foreign Arbitral Awards Act, 1986*, being chapter 25, is repealed.

Commence-
ment

15. This Act comes into force on the day it receives Royal Assent.

Short title

16. The short title of this Act is the *International Commercial Arbitration Act, 1988*.

- a) le Rapport de la Commission des Nations Unies pour le droit commercial international sur les travaux de sa dix-huitième session, du 3 au 21 juin 1985;
- b) le commentaire analytique figurant dans le rapport du Secrétaire général à la dix-huitième session de la Commission des Nations Unies pour le droit commercial international,

tels qu'ils sont publiés dans La Gazette du Canada, Partie I. Vol. 120, n° 40, le 4 octobre 1986, Supplément. Ces documents s'ajoutent aux guides d'interprétation auxquels on a recours habituellement en vertu de la loi de l'Ontario.

14 La *Loi de 1986 sur les sentences arbitrales étrangères*, Abrogation
qui constitue le chapitre 25, est abrogée.

15 La présente loi entre en vigueur le jour où elle reçoit la sanction royale. Entrée en vigueur

16 Le titre abrégé de la présente loi est *Loi de 1988 sur l'arbitrage commercial international*. Titre abrégé

SCHEDULE

UNCITRAL MODEL LAW ON INTERNATIONAL
COMMERCIAL ARBITRATION

(As adopted by the United Nations
Commission on International Trade Law on
21 June, 1985)

CHAPTER I. GENERAL PROVISIONS

Article 1. *Scope of application*

(1) This Law applies to international commercial arbitration, subject to any agreement in force between this State and any other State or States.

(2) The provisions of this Law, except articles 8, 9, 35 and 36, apply only if the place of arbitration is in the territory of this State.

(3) An arbitration is international if:

(a) the parties to an arbitration agreement have, at the time of the conclusion of that agreement, their places of business in different States; or

(b) one of the following places is situated outside the State in which the parties have their places of business:

(i) the place of arbitration if determined in, or pursuant to, the arbitration agreement,

(ii) any place where a substantial part of the obligations of the commercial relationship is to be performed or the place with which the subject-matter of the dispute is most closely connected; or

(c) the parties have expressly agreed that the subject-matter of the arbitration agreement relates to more than one country.

(4) For the purposes of paragraph (3) of this article:

(a) if a party has more than one place of business, the place of business is that which has the closest relationship to the arbitration agreement;

(b) if a party does not have a place of business, reference is to be made to his habitual residence.

(5) This Law shall not affect any other law of this State by virtue of which certain disputes may not be submitted to arbitration or may be submitted to arbitration only according to provisions other than those of this Law.

Article 2. *Definitions and rules of interpretation*

For the purposes of this Law:

(a) "arbitration" means any arbitration whether or not administered by a permanent arbitral institution;

(b) "arbitral tribunal" means a sole arbitrator or a panel of arbitrators;

ANNEXE

LOI TYPE DE LA CNUDCI SUR L'ARBITRAGE COMMERCIAL
INTERNATIONAL

(telle qu'adoptée par la Commission des Nations Unies
pour le droit commercial international le 21 juin 1985)

CHAPITRE PREMIER. DISPOSITIONS GÉNÉRALES

Article premier *Champ d'application*

(1) La présente loi s'applique à l'arbitrage commercial international; elle ne porte atteinte à aucun accord multilatéral ou bilatéral en vigueur pour le présent État.

(2) Les dispositions de la présente loi, à l'exception des articles 8, 9, 35 et 36, ne s'appliquent que si le lieu de l'arbitrage est situé sur le territoire du présent État.

(3) Un arbitrage est international si :

- a) les parties à une convention d'arbitrage ont, au moment de la conclusion de ladite convention, leur établissement dans des États différents; ou
- b) un des lieux ci-après est situé hors de l'État dans lequel les parties ont leur établissement :
 - (i) le lieu de l'arbitrage, s'il est stipulé dans la convention d'arbitrage ou déterminé en vertu de cette convention,
 - (ii) tout lieu où doit être exécutée une partie substantielle des obligations issues de la relation commerciale ou le lieu avec lequel l'objet du différend a le lien le plus étroit; ou
- c) les parties sont convenues expressément que l'objet de la convention d'arbitrage a des liens avec plus d'un pays.

(4) Aux fins du paragraphe (3) du présent article :

- a) si une partie a plus d'un établissement, l'établissement à prendre en considération est celui qui a la relation la plus étroite avec la convention d'arbitrage;
- b) si une partie n'a pas d'établissement, sa résidence habituelle en tient lieu.

(5) La présente loi ne porte atteinte à aucune autre loi du présent État en vertu de laquelle certains différends ne peuvent être soumis à l'arbitrage ou ne peuvent l'être qu'en application de dispositions autres que celles de la présente loi.

Article 2 *Définitions et règles d'interprétation*

Aux fins de la présente loi :

- a) le terme «arbitrage» désigne tout arbitrage que l'organisation en soit ou non confiée à une institution permanente d'arbitrage;
- b) l'expression «tribunal arbitral» désigne un arbitre unique ou un groupe d'arbitres;

- (c) "court" means a body or organ of the judicial system of a State;
- (d) where a provision of this Law, except article 28, leaves the parties free to determine a certain issue, such freedom includes the right of the parties to authorize a third party, including an institution, to make that determination;
- (e) where a provision of this Law refers to the fact that the parties have agreed or that they may agree or in any other way refers to an agreement of the parties, such agreement includes any arbitration rules referred to in that agreement;
- (f) where a provision of this Law, other than in articles 25 (a) and 32 (2) (a), refers to a claim, it also applies to a counter-claim, and where it refers to a defence, it also applies to a defence to such counter-claim.

Article 3. *Receipt of written communications*

(1) Unless otherwise agreed by the parties:

- (a) any written communication is deemed to have been received if it is delivered to the addressee personally or if it is delivered at his place of business, habitual residence or mailing address; if none of these can be found after making a reasonable inquiry, a written communication is deemed to have been received if it is sent to the addressee's last-known place of business, habitual residence or mailing address by registered letter or any other means which provides a record of the attempt to deliver it;
- (b) the communication is deemed to have been received on the day it is so delivered.

(2) The provisions of this article do not apply to communications in court proceedings.

Article 4. *Waiver of right to object*

A party who knows that any provision of this Law from which the parties may derogate or any requirement under the arbitration agreement has not been complied with and yet proceeds with the arbitration without stating his objection to such non-compliance without undue delay or, if a time-limit is provided therefor, within such period of time, shall be deemed to have waived his right to object.

Article 5. *Extent of court intervention*

In matters governed by this Law, no court shall intervene except where so provided in this Law.

Article 6. *Court or other authority for certain functions of arbitration assistance and supervision*

The functions referred to in articles 11 (3), 11 (4), 13 (3), 14, 16 (3) and 34 (2) shall be performed by the Supreme or District Court.

CHAPTER II. ARBITRATION AGREEMENT

Article 7. *Definition and form of arbitration agreement*

(1) "Arbitration agreement" is an agreement by the parties to submit to

- c) le terme «tribunal» désigne un organisme ou organe du système judiciaire d'un État;
- d) lorsqu'une disposition de la présente loi, à l'exception de l'article 28, laisse aux parties la liberté de décider d'une certaine question, cette liberté emporte le droit pour les parties d'autoriser un tiers, y compris une institution, à décider de cette question;
- e) lorsqu'une disposition de la présente loi se réfère au fait que les parties sont convenues ou peuvent convenir d'une question, ou se réfère de toute autre manière à une convention des parties, une telle convention englobe tout règlement d'arbitrage qui y est mentionné;
- f) lorsqu'une disposition de la présente loi, autre que celles de l'alinéa a) de l'article 25 et de l'alinéa (2) a) de l'article 32, se réfère à une demande, cette disposition s'applique également à une demande reconventionnelle et lorsqu'elle se réfère à des conclusions en défense, elle s'applique également à des conclusions en défense sur une demande reconventionnelle.

Article 3 *Réception de communications écrites*

(1) Sauf convention contraire des parties :

- a) toute communication écrite est réputée avoir été reçue si elle a été remise soit à la personne du destinataire, soit à son établissement, à sa résidence habituelle ou à son adresse postale; si aucun de ces lieux n'a pu être trouvé après une enquête raisonnable, une communication écrite est réputée avoir été reçue si elle a été envoyée au dernier établissement, à la dernière résidence habituelle ou à la dernière adresse postale connus du destinataire par lettre recommandée ou tout autre moyen attestant la tentative de remise;
- b) la communication est réputée avoir été reçue le jour d'une telle remise.

(2) Les dispositions du présent article ne s'appliquent pas aux communications échangées dans le cadre de procédures judiciaires.

Article 4 *Renonciation au droit de faire objection*

Est réputée avoir renoncé à son droit de faire objection toute partie qui, bien qu'elle sache que l'une des dispositions de la présente loi auxquelles les parties peuvent déroger, ou toute condition énoncée dans la convention d'arbitrage, n'a pas été respectée, poursuit néanmoins l'arbitrage sans formuler d'objection promptement ou, s'il est prévu un délai à cet effet, dans ledit délai.

Article 5 *Domaine de l'intervention des tribunaux*

Pour toutes les questions régies par la présente loi, les tribunaux ne peuvent intervenir que dans les cas où celle-ci le prévoit.

Article 6 *Tribunal ou autre autorité chargé de certaines fonctions d'assistance et de contrôle dans le cadre de l'arbitrage*

Les fonctions mentionnées aux articles 11 (3), 11 (4), 13 (3), 14, 16 (3) et 34 (2) sont confiées à la Cour suprême ou à la Cour de district.

CHAPITRE II. CONVENTION D'ARBITRAGE

Article 7 *Définition et forme de la convention d'arbitrage*

(1) Une «convention d'arbitrage» est une convention par laquelle les parties

arbitration all or certain disputes which have arisen or which may arise between them in respect of a defined legal relationship, whether contractual or not. An arbitration agreement may be in the form of an arbitration clause in a contract or in the form of a separate agreement.

(2) The arbitration agreement shall be in writing. An agreement is in writing if it is contained in a document signed by the parties or in an exchange of letters, telex, telegrams or other means of telecommunication which provide a record of the agreement, or in an exchange of statements of claim and defence in which the existence of an agreement is alleged by one party and not denied by another. The reference in a contract to a document containing an arbitration clause constitutes an arbitration agreement provided that the contract is in writing and the reference is such as to make that clause part of the contract.

Article 8. *Arbitration agreement and substantive claim before court*

(1) A court before which an action is brought in a matter which is the subject of an arbitration agreement shall, if a party so requests not later than when submitting his first statement on the substance of the dispute, refer the parties to arbitration unless it finds that the agreement is null and void, inoperative or incapable of being performed.

(2) Where an action referred to in paragraph (1) of this article has been brought, arbitral proceedings may nevertheless be commenced or continued, and an award may be made, while the issue is pending before the court.

Article 9. *Arbitration agreement and interim measures by court*

It is not incompatible with an arbitration agreement for a party to request, before or during arbitral proceedings, from a court an interim measure of protection and for a court to grant such measure.

CHAPTER III. COMPOSITION OF ARBITRAL TRIBUNAL

Article 10. *Number of arbitrators*

(1) The parties are free to determine the number of arbitrators.

(2) Failing such determination, the number of arbitrators shall be three.

Article 11. *Appointment of arbitrators*

(1) No person shall be precluded by reason of his nationality from acting as an arbitrator, unless otherwise agreed by the parties.

(2) The parties are free to agree on a procedure of appointing the arbitrator or arbitrators, subject to the provisions of paragraphs (4) and (5) of this article.

(3) Failing such agreement,

- (a) in an arbitration with three arbitrators, each party shall appoint one arbitrator, and the two arbitrators thus appointed shall appoint the third arbitrator; if a party fails to appoint the arbitrator within thirty days of receipt of a request to do so from the other party, or if the two arbitrators fail to agree on the third arbitrator within thirty days of their appointment, the appointment shall be made, upon request of a party, by the court or other authority specified in article 6;

décident de soumettre à l'arbitrage, tous les différends ou certains des différends qui se sont élevés ou pourraient s'élever entre elles au sujet d'un rapport de droit déterminé, contractuel ou non contractuel. Une convention d'arbitrage peut prendre la forme d'une clause compromissoire dans un contrat ou d'une convention séparée.

(2) La convention d'arbitrage doit se présenter sous forme écrite. Une convention est sous forme écrite si elle est consignée dans un document signé par les parties ou dans un échange de lettres, de communications télex, de télégrammes ou de tout autre moyen de télécommunications qui en atteste l'existence, ou encore dans l'échange d'une conclusion en demande et d'une conclusion en réponse dans lequel l'existence d'une telle convention est alléguée par une partie et n'est pas contestée par l'autre. La référence dans un contrat à un document contenant une clause compromissoire vaut convention d'arbitrage, à condition que ledit contrat soit sous forme écrite et que la référence soit telle qu'elle fasse de la clause une partie du contrat.

Article 8 *Convention d'arbitrage et actions intentées quant au fond devant un tribunal*

(1) Le tribunal saisi d'un différend sur une question faisant l'objet d'une convention d'arbitrage renverra les parties à l'arbitrage si l'une d'entre elles le demande au plus tard lorsqu'elle soumet ses premières conclusions quant au fond du différend, à moins qu'il ne constate que ladite convention est caduque, inopérante ou non susceptible d'être exécutée.

(2) Lorsque le tribunal est saisi d'une action visée au paragraphe (1) du présent article, la procédure arbitrale peut néanmoins être engagée ou poursuivie et une sentence peut être rendue en attendant que le tribunal ait statué.

Article 9 *Convention d'arbitrage et mesures provisoires prises par un tribunal*

La demande par une partie à un tribunal, avant ou pendant la procédure arbitrale, de mesures provisoires ou conservatoires et l'octroi de telles mesures par un tribunal ne sont pas incompatibles avec une convention d'arbitrage.

CHAPITRE III. COMPOSITION DU TRIBUNAL ARBITRAL

Article 10 *Nombre d'arbitres*

(1) Les parties sont libres de convenir du nombre d'arbitres.

(2) Faute d'une telle convention, il est nommé trois arbitres.

Article 11 *Nomination de l'arbitre ou des arbitres*

(1) Nul ne peut, en raison de sa nationalité, être empêché d'exercer des fonctions d'arbitre, sauf convention contraire des parties.

(2) Les parties sont libres de convenir de la procédure de nomination de l'arbitre ou des arbitres, sans préjudice des dispositions des paragraphes (4) et (5) du présent article.

(3) Faute d'une telle convention :

- a) en cas d'arbitrage par trois arbitres, chaque partie nomme un arbitre et les deux autres arbitres ainsi nommés choisissent le troisième arbitre; si une partie ne nomme pas un arbitre dans un délai de trente jours à compter de la réception d'une demande à cette fin émanant

- (b) in an arbitration with a sole arbitrator, if the parties are unable to agree on the arbitrator, he shall be appointed, upon request of a party, by the court or other authority specified in article 6.
- (4) Where, under an appointment procedure agreed upon by the parties:
 - (a) a party fails to act as required under such procedure; or
 - (b) the parties, or two arbitrators, are unable to reach an agreement expected of them under such procedure; or
 - (c) a third party, including an institution, fails to perform any function entrusted to it under such procedure,

any party may request the court or other authority specified in article 6 to take the necessary measure, unless the agreement on the appointment procedure provides other means for securing the appointment.

(5) A decision on a matter entrusted by paragraph (3) or (4) of this article to the court or other authority specified in article 6 shall be subject to no appeal. The court or other authority, in appointing an arbitrator, shall have due regard to any qualifications required of the arbitrator by the agreement of the parties and to such considerations as are likely to secure the appointment of an independent and impartial arbitrator and, in the case of a sole or third arbitrator, shall take into account as well the advisability of appointing an arbitrator of a nationality other than those of the parties.

Article 12. *Grounds for challenge*

(1) When a person is approached in connection with his possible appointment as an arbitrator, he shall disclose any circumstances likely to give rise to justifiable doubts as to his impartiality or independence. An arbitrator, from the time of his appointment and throughout the arbitral proceedings, shall without delay disclose any such circumstances to the parties unless they have already been informed of them by him.

(2) An arbitrator may be challenged only if circumstances exist that give rise to justifiable doubts as to his impartiality or independence, or if he does not possess qualifications agreed to by the parties. A party may challenge an arbitrator appointed by him, or in whose appointment he has participated, only for reasons of which he becomes aware after the appointment has been made.

Article 13. *Challenge procedure*

(1) The parties are free to agree on a procedure for challenging an arbitrator, subject to the provisions of paragraph (3) of this article.

(2) Failing such agreement, a party who intends to challenge an arbitrator shall, within fifteen days after becoming aware of the constitution of the arbitral tribunal or after becoming aware of any circumstance referred to in article 12 (2), send a written statement of the reasons for the challenge to the arbitral tribunal. Unless the challenged arbitrator withdraws from his office or the other party agrees to the challenge, the arbitral tribunal shall decide on the challenge.

de l'autre partie, ou si les deux arbitres ne s'accordent pas sur le choix du troisième arbitre dans un délai de trente jours à compter de leur désignation, la nomination est effectuée, sur la demande d'une partie, par le tribunal ou autre autorité visé à l'article 6;

- b) en cas d'arbitrage par un arbitre unique, si les parties ne peuvent s'accorder sur le choix de l'arbitre, celui-ci est nommé, sur la demande d'une partie, par le tribunal ou autre autorité visé à l'article 6.

(4) Lorsque, durant une procédure de nomination convenue par les parties :

- a) une partie n'agit pas conformément à ladite procédure; ou
- b) les parties, ou deux arbitres, ne peuvent parvenir à un accord conformément à ladite procédure; ou
- c) un tiers, y compris une institution, ne s'acquitte pas d'une fonction qui lui est conférée dans ladite procédure,

l'une ou l'autre partie peut prier le tribunal ou autre autorité visé à l'article 6 de prendre la mesure voulue, à moins que la convention relative à la procédure de nomination ne stipule d'autres moyens d'assurer cette nomination.

(5) La décision sur une question confiée au tribunal ou autre autorité visé à l'article 6, conformément aux paragraphes (3) et (4) du présent article, n'est pas susceptible de recours. Lorsqu'il nomme un arbitre, le tribunal tient compte de toutes les qualifications requises de l'arbitre par convention des parties et de toutes considérations propres à garantir la nomination d'un arbitre indépendant et impartial et, lorsqu'il nomme un arbitre unique ou un troisième arbitre, il tient également compte du fait qu'il peut être souhaitable de nommer un arbitre d'une nationalité différente de celle des parties.

Article 12 *Motifs de récusation*

(1) Lorsqu'une personne est pressentie en vue de sa nomination éventuelle en qualité d'arbitre, elle signale toutes circonstances de nature à soulever des doutes légitimes sur son impartialité ou sur son indépendance. À partir de la date de sa nomination et durant toute la procédure arbitrale, l'arbitre signale sans tarder de telles circonstances aux parties, à moins qu'il ne l'ait déjà fait.

(2) Un arbitre ne peut être récusé que s'il existe des circonstances de nature à soulever des doutes légitimes sur son impartialité ou son indépendance, ou si celui-ci ne possède pas les qualifications convenues par les parties. Une partie ne peut récuser l'arbitre qu'elle a nommé ou à la nomination duquel elle a participé que pour une cause dont elle a eu connaissance après cette nomination.

Article 13 *Procédure de récusation*

(1) Sous réserve des dispositions du paragraphe (3) du présent article, les parties sont libres de convenir de la procédure de récusation de l'arbitre.

(2) Faute d'un tel accord, la partie qui a l'intention de récuser un arbitre expose par écrit les motifs de la récusation au tribunal arbitral, dans un délai de quinze jours à compter de la date à laquelle elle a eu connaissance de la constitution du tribunal arbitral ou de la date à laquelle elle a eu connaissance des circonstances visées à l'article 12 (2). Si l'arbitre récusé ne se déporte pas ou que l'autre partie n'accepte pas la récusation, le tribunal arbitral se prononce sur la récusation.

(3) If a challenge under any procedure agreed upon by the parties or under the procedure of paragraph (2) of this article is not successful, the challenging party may request within thirty days after having received notice of the decision rejecting the challenge, the court or other authority specified in article 6 to decide on the challenge, which decision shall be subject to no appeal; while such a request is pending, the arbitral tribunal, including the challenged arbitrator, may continue the arbitral proceedings and make an award.

Article 14. *Failure or impossibility to act*

(1) If an arbitrator becomes *de jure* or *de facto* unable to perform his functions or for other reasons fails to act without undue delay, his mandate terminates if he withdraws from his office or if the parties agree on the termination. Otherwise, if a controversy remains concerning any of these grounds, any party may request the court or other authority specified in article 6 to decide on the termination of the mandate, which decision shall be subject to no appeal.

(2) If, under this article or article 13(2), an arbitrator withdraws from his office or a party agrees to the termination of the mandate of an arbitrator, this does not imply acceptance of the validity of any ground referred to in this article or article 12(2).

Article 15. *Appointment of substitute arbitrator*

Where the mandate of an arbitrator terminates under article 13 or 14 or because of his withdrawal from office for any other reason or because of the revocation of his mandate by agreement of the parties or in any other case of termination of his mandate, a substitute arbitrator shall be appointed according to the rules that were applicable to the appointment of the arbitrator being replaced.

CHAPTER IV. JURISDICTION OF ARBITRAL TRIBUNAL

Article 16. *Competence of arbitral tribunal to rule on its jurisdiction*

(1) The arbitral tribunal may rule on its own jurisdiction, including any objections with respect to the existence or validity of the arbitration agreement. For that purpose, an arbitration clause which forms part of a contract shall be treated as an agreement independent of the other terms of the contract. A decision by the arbitral tribunal that the contract is null and void shall not entail *ipso jure* the invalidity of the arbitration clause.

(2) A plea that the arbitral tribunal does not have jurisdiction shall be raised not later than the submission of the statement of defence. A party is not precluded from raising such a plea by the fact that he has appointed, or participated in the appointment of, an arbitrator. A plea that the arbitral tribunal is exceeding the scope of its authority shall be raised as soon as the matter alleged to be beyond the scope of its authority is raised during the arbitral proceedings. The arbitral tribunal may, in either case, admit a later plea if it considers the delay justified.

(3) The arbitral tribunal may rule on a plea referred to in paragraph (2) of this article either as a preliminary question or in an award on the merits. If the arbitral tribunal rules as a preliminary question that it has jurisdiction, any party may request, within thirty days after having received notice of that ruling, the court specified in article 6 to decide the matter, which decision shall be subject to no appeal; while such a request is pending, the arbitral tribunal may continue the arbitral proceedings and make an award.

(3) Si la récusation ne peut être obtenue selon la procédure convenue par les parties ou en application du paragraphe (2) du présent article, la partie récusante peut, dans un délai de trente jours après avoir eu communication de la décision rejetant la récusation, prier le tribunal ou autre autorité visé à l'article 6 de prendre sur la récusation une décision qui ne sera pas susceptible de recours; dans l'attente de cette décision, le tribunal arbitral y compris l'arbitre récusé, peut poursuivre la procédure arbitrale et rendre une sentence.

Article 14 *Carence ou incapacité d'un arbitre*

(1) Lorsqu'un arbitre se trouve dans l'impossibilité de droit ou de fait de remplir sa mission ou, pour d'autres raisons, ne s'acquitte pas de ses fonctions dans un délai raisonnable, son mandat prend fin s'il se déporte ou si les parties conviennent d'y mettre fin. Au cas où il subsiste un désaccord quant à l'un quelconque de ces motifs, l'une ou l'autre partie peut prier le tribunal ou autre autorité visé à l'article 6 de prendre une décision, qui ne sera pas susceptible de recours, sur la cessation du mandat.

(2) Le fait qu'en application du présent article ou de l'article 13 (2), un arbitre se déporte ou qu'une partie accepte que le mandat d'un arbitre prenne fin n'implique pas reconnaissance des motifs mentionnés à l'article 12 (2) ou dans le présent article.

Article 15 *Nomination d'un arbitre remplaçant*

Lorsqu'il est mis fin au mandat d'un arbitre conformément à l'article 13 ou 14, ou lorsque celui-ci se déporte pour toute autre raison, ou lorsque son mandat est révoqué par accord des parties ou dans tout autre cas où il est mis fin à son mandat, un arbitre remplaçant est nommé conformément aux règles qui étaient applicables à la nomination de l'arbitre remplacé.

CHAPITRE IV. COMPÉTENCE DU TRIBUNAL ARBITRAL

Article 16 *Compétence du tribunal arbitral pour statuer sur sa propre compétence*

(1) Le tribunal arbitral peut statuer sur sa propre compétence, y compris sur toute exception relative à l'existence ou à la validité de la convention d'arbitrage. À cette fin, une clause compromissoire faisant partie d'un contrat est considérée comme une convention distincte des autres clauses du contrat. La constatation de nullité du contrat par le tribunal arbitral n'entraîne pas de plein droit la nullité de la clause compromissoire.

(2) L'exception d'incompétence du tribunal arbitral peut être soulevée au plus tard lors du dépôt des conclusions en défense. Le fait pour une partie d'avoir désigné un arbitre ou d'avoir participé à sa désignation ne la prive pas du droit de soulever cette exception. L'exception prise de ce que la question litigieuse excéderait les pouvoirs du tribunal arbitral est soulevée dès que la question alléguée comme excédant ses pouvoirs est soulevée pendant la procédure arbitrale. Le tribunal arbitral peut, dans l'un ou l'autre cas, admettre une exception soulevée après le délai prévu, s'il estime que le retard est dû à une cause valable.

(3) Le tribunal arbitral peut statuer sur l'exception visée au paragraphe (2) du présent article soit en la traitant comme une question préalable, soit dans sa sentence sur le fond. Si le tribunal arbitral détermine, à titre de question préalable, qu'il est compétent, l'une ou l'autre partie peut, dans un délai de trente jours après avoir été avisée de cette décision, demander au tribunal visé à l'article 6 de rendre une décision sur ce point, laquelle ne sera pas susceptible de recours; en attendant qu'il soit statué sur cette demande, le tribunal arbitral est libre de poursuivre la procédure arbitrale et de rendre une sentence.

Article 17. *Power of arbitral tribunal to order interim measures*

Unless otherwise agreed by the parties, the arbitral tribunal may, at the request of a party, order any party to take such interim measure of protection as the arbitral tribunal may consider necessary in respect of the subject-matter of the dispute. The arbitral tribunal may require any party to provide appropriate security in connection with such measure.

CHAPTER V. CONDUCT OF ARBITRAL PROCEEDINGS**Article 18.** *Equal treatment of parties*

The parties shall be treated with equality and each party shall be given a full opportunity of presenting his case.

Article 19. *Determination of rules of procedure*

(1) Subject to the provisions of this Law, the parties are free to agree on the procedure to be followed by the arbitral tribunal in conducting the proceedings.

(2) Failing such agreement, the arbitral tribunal may, subject to the provisions of this Law, conduct the arbitration in such manner as it considers appropriate. The power conferred upon the arbitral tribunal includes the power to determine the admissibility, relevance, materiality and weight of any evidence.

Article 20. *Place of arbitration*

(1) The parties are free to agree on the place of arbitration. Failing such agreement, the place of arbitration shall be determined by the arbitral tribunal having regard to the circumstances of the case, including the convenience of the parties.

(2) Notwithstanding the provisions of paragraph (1) of this article, the arbitral tribunal may, unless otherwise agreed by the parties, meet at any place it considers appropriate for consultation among its members, for hearing witnesses, experts or the parties, or for inspection of goods, other property or documents.

Article 21. *Commencement of arbitral proceedings*

Unless otherwise agreed by the parties, the arbitral proceedings in respect of a particular dispute commence on the date on which a request for that dispute to be referred to arbitration is received by the respondent.

Article 22. *Language*

(1) The parties are free to agree on the language or languages to be used in the arbitral proceedings. Failing such agreement, the arbitral tribunal shall determine the language or languages to be used in the proceedings. This agreement or determination, unless otherwise specified therein, shall apply to any written statement by a party, any hearing and any award, decision or other communication by the arbitral tribunal.

(2) The arbitral tribunal may order that any documentary evidence shall be accompanied by a translation into the language or languages agreed upon by the parties or determined by the arbitral tribunal.

Article 17 *Pouvoir du tribunal arbitral d'ordonner des mesures provisoires*

Sauf convention contraire des parties, le tribunal arbitral peut, à la demande d'une partie, ordonner à toute partie de prendre toute mesure provisoire ou conservatoire qu'il juge nécessaire en ce qui concerne l'objet du différend. Le tribunal arbitral peut, à ce titre, exiger de toute partie le versement d'une provision appropriée.

CHAPITRE V. CONDUITE DE LA PROCÉDURE ARBITRALE**Article 18** *Égalité de traitement des parties*

Les parties doivent être traitées sur un pied d'égalité et chaque partie doit avoir toute possibilité de faire valoir ses droits.

Article 19 *Détermination des règles de procédure*

(1) Sous réserve des dispositions de la présente loi, les parties sont libres de convenir de la procédure à suivre par le tribunal arbitral.

(2) Faute d'une telle convention, le tribunal arbitral peut, sous réserve des dispositions de la présente loi, procéder à l'arbitrage comme il le juge approprié. Les pouvoirs conférés au tribunal arbitral comprennent celui de juger de la recevabilité, de la pertinence et de l'importance de toute preuve produite.

Article 20 *Lieu de l'arbitrage*

(1) Les parties sont libres de décider du lieu de l'arbitrage. Faute d'une telle décision, ce lieu est fixé par le tribunal arbitral, compte tenu des circonstances de l'affaire, y compris les convenances des parties.

(2) Nonobstant les dispositions du paragraphe (1) du présent article, le tribunal arbitral peut, sauf convention contraire des parties, se réunir en tout lieu qu'il jugera approprié pour l'organisation de consultations entre ses membres, l'audition des témoins, des experts ou des parties, ou pour l'inspection de marchandises, d'autres biens ou de pièces.

Article 21 *Début de la procédure arbitrale*

Sauf convention contraire des parties, la procédure arbitrale concernant un différend déterminé débute à la date à laquelle la demande de soumission de ce différend à l'arbitrage est reçue par le défendeur.

Article 22 *Langue*

(1) Les parties sont libres de convenir de la langue ou des langues à utiliser dans la procédure arbitrale. Faute d'un tel accord, le tribunal arbitral décide de la langue ou des langues à utiliser dans la procédure. Cet accord ou cette décision, à moins qu'il n'en soit convenu ou décidé autrement, s'applique à toute déclaration écrite d'une partie, à toute procédure orale et à toute sentence, décision ou autre communication du tribunal arbitral.

(2) Le tribunal arbitral peut ordonner que toute pièce soit accompagnée d'une traduction dans la langue ou les langues convenues par les parties ou choisies par le tribunal arbitral.

Article 23. *Statements of claim and defence*

(1) Within the period of time agreed by the parties or determined by the arbitral tribunal, the claimant shall state the facts supporting his claim, the points at issue and the relief or remedy sought, and the respondent shall state his defence in respect of these particulars, unless the parties have otherwise agreed as to the required elements of such statements. The parties may submit with their statements all documents they consider to be relevant or may add a reference to the documents or other evidence they will submit.

(2) Unless otherwise agreed by the parties, either party may amend or supplement his claim or defence during the course of the arbitral proceedings, unless the arbitral tribunal considers it inappropriate to allow such amendment having regard to the delay in making it.

Article 24. *Hearings and written proceedings*

(1) Subject to any contrary agreement by the parties, the arbitral tribunal shall decide whether to hold oral hearings for the presentation of evidence or for oral argument, or whether the proceedings shall be conducted on the basis of documents and other materials. However, unless the parties have agreed that no hearings shall be held, the arbitral tribunal shall hold such hearings at an appropriate stage of the proceedings, if so requested by a party.

(2) The parties shall be given sufficient advance notice of any hearing and of any meeting of the arbitral tribunal for the purposes of inspection of goods, other property or documents.

(3) All statements, documents or other information supplied to the arbitral tribunal by one party shall be communicated to the other party. Also any expert report or evidentiary document on which the arbitral tribunal may rely in making its decision shall be communicated to the parties.

Article 25. *Default of a party*

Unless otherwise agreed by the parties, if, without showing sufficient cause,

- (a) the claimant fails to communicate his statement of claim in accordance with article 23 (1), the arbitral tribunal shall terminate the proceedings;
- (b) the respondent fails to communicate his statement of defence in accordance with article 23 (1), the arbitral tribunal shall continue the proceedings without treating such failure in itself as an admission of the claimant's allegations;
- (c) any party fails to appear at a hearing or to produce documentary evidence, the arbitral tribunal may continue the proceedings and make the award on the evidence before it.

Article 26. *Expert appointed by arbitral tribunal*

(1) Unless otherwise agreed by the parties, the arbitral tribunal,

- (a) may appoint one or more experts to report to it on specific issues to be determined by the arbitral tribunal;
- (b) may require a party to give the expert any relevant information or to produce, or to provide access to, any relevant documents, goods or other property for his inspection.

Article 23 *Conclusions en demande et en défense*

(1) Dans le délai convenu par les parties ou fixé par le tribunal arbitral, le demandeur énonce les faits au soutien de sa demande, les points litigieux et l'objet de la demande et le défendeur énonce ses défenses à propos de ces questions, à moins que les parties ne soient autrement convenues des indications devant figurer dans les conclusions. Les parties peuvent accompagner leurs conclusions de toutes pièces qu'elles jugeront pertinentes ou y mentionner les pièces ou autres moyens de preuve qu'elles produiront.

(2) Sauf convention contraire des parties, l'une ou l'autre partie peut modifier ou compléter sa demande ou ses défenses, au cours de la procédure arbitrale, à moins que le tribunal arbitral considère ne pas devoir autoriser un tel amendement en raison du retard avec lequel il est formulé.

Article 24 *Procédure orale et procédure écrite*

(1) Sauf convention contraire des parties, le tribunal arbitral décide si la procédure doit comporter des phases orales pour la production de preuves ou pour l'exposé oral des arguments, ou si elle se déroulera sur pièces. Cependant, à moins que les parties n'aient convenu qu'il n'y aura pas de procédure orale, le tribunal arbitral organise une telle procédure à un stade approprié de la procédure arbitrale, si une partie lui en fait la demande.

(2) Les parties recevront suffisamment longtemps à l'avance notification de toutes audiences et de toutes réunions du tribunal arbitral tenues aux fins de l'inspection de marchandises, d'autres biens ou de pièces.

(3) Toutes les conclusions, pièces ou informations que l'une des parties fournit au tribunal arbitral doivent être communiquées à l'autre partie. Tout rapport d'expert ou document présenté en tant que preuve sur lequel le tribunal pourrait s'appuyer pour statuer doit également être communiqué aux parties.

Article 25 *Défaut d'une partie*

Sauf convention contraire des parties, si, sans invoquer d'empêchement légitime :

- a) le demandeur ne présente pas sa demande conformément à l'article 23 (1), le tribunal arbitral met fin à la procédure arbitrale;
- b) le défendeur ne présente pas ses défenses conformément à l'article 23 (1), le tribunal arbitral poursuit la procédure arbitrale sans considérer ce défaut en soi comme une acceptation des allégations du demandeur;
- c) l'une des parties omet de comparaître à l'audience ou de produire des documents, le tribunal arbitral peut poursuivre la procédure et statuer sur la base des éléments de preuve dont il dispose.

Article 26 *Expert nommé par le tribunal arbitral*

(1) Sauf convention contraire des parties, le tribunal arbitral :

- a) peut nommer un ou plusieurs experts chargés de lui faire rapport sur les points précis qu'il déterminera;
- b) peut demander à une partie de fournir à l'expert tous renseignements appropriés ou de lui soumettre ou de lui rendre accessibles, aux fins d'examen, toutes pièces ou toutes marchandises ou autres biens pertinents.

(2) Unless otherwise agreed by the parties, if a party so requests or if the arbitral tribunal considers it necessary, the expert shall, after delivery of his written or oral report, participate in a hearing where the parties have the opportunity to put questions to him and to present expert witnesses in order to testify on the points at issue.

Article 27. *Court assistance in taking evidence*

The arbitral tribunal or a party with the approval of the arbitral tribunal may request from a competent court of this State assistance in taking evidence. The court may execute the request within its competence and according to its rules on taking evidence.

CHAPTER VI. MAKING OF AWARD AND TERMINATION OF PROCEEDINGS

Article 28. *Rules applicable to substance of dispute*

(1) The arbitral tribunal shall decide the dispute in accordance with such rules of law as are chosen by the parties as applicable to the substance of the dispute. Any designation of the law or legal system of a given State shall be construed, unless otherwise expressed, as directly referring to the substantive law of that State and not to its conflict of laws rules.

(2) Failing any designation by the parties, the arbitral tribunal shall apply the law determined by the conflict of laws rules which it considers applicable.

(3) The arbitral tribunal shall decide *ex aequo et bono* or as *amiable compositeur* only if the parties have expressly authorized it to do so.

(4) In all cases, the arbitral tribunal shall decide in accordance with the terms of the contract and shall take into account the usages of the trade applicable to the transaction.

Article 29. *Decision making by panel of arbitrators*

In arbitral proceedings with more than one arbitrator, any decision of the arbitral tribunal shall be made, unless otherwise agreed by the parties, by a majority of all its members. However, questions of procedure may be decided by a presiding arbitrator, if so authorized by the parties or all members of the arbitral tribunal.

Article 30. *Settlement*

(1) If, during arbitral proceedings, the parties settle the dispute, the arbitral tribunal shall terminate the proceedings and, if requested by the parties and not objected to by the arbitral tribunal, record the settlement in the form of an arbitral award on agreed terms.

(2) An award on agreed terms shall be made in accordance with the provisions of article 31 and shall state that it is an award. Such an award has the same status and effect as any other award on the merits of the case.

Article 31. *Form and contents of award*

(1) The award shall be made in writing and shall be signed by the arbitrator or arbitrators. In arbitral proceedings with more than one arbitrator, the signatures of the majority of all members of the arbitral tribunal shall suffice, provided that the reason for any omitted signature is stated.

(2) Sauf convention contraire des parties, si une partie en fait la demande ou si le tribunal arbitral le juge nécessaire, l'expert, après présentation de son rapport écrit ou oral, participe à une audience à laquelle les parties peuvent l'interroger et faire venir en qualité de témoins des experts qui déposent sur les questions litigieuses.

Article 27 *Assistance des tribunaux pour l'obtention de preuves*

Le tribunal arbitral, ou une partie avec l'approbation du tribunal arbitral, peut demander à un tribunal compétent du présent État une assistance pour l'obtention de preuves. Le tribunal peut satisfaire à cette demande, dans les limites de sa compétence et conformément aux règles relatives à l'obtention de preuves.

CHAPITRE VI. PRONONCÉ DE LA SENTENCE ET CLÔTURE DE LA PROCÉDURE

Article 28 *Règles applicables au fond du différend*

(1) Le tribunal arbitral tranche le différend conformément aux règles de droit choisies par les parties comme étant applicables au fond du différend. Toute désignation de la loi ou du système juridique d'un État donné est considérée, sauf indication contraire expresse, comme désignant directement les règles juridiques de fond de cet État et non ses règles de conflit de lois.

(2) À défaut d'une telle désignation par les parties, le tribunal arbitral applique la loi désignée par la règle de conflit de lois qu'il juge applicable en l'espèce.

(3) Le tribunal arbitral statue *ex aequo et bono* ou en qualité d'arbitre compositeur uniquement si les parties l'y ont expressément autorisé.

(4) Dans tous les cas, le tribunal arbitral décide conformément aux stipulations du contrat et tient compte des usages du commerce applicables à la transaction.

Article 29 *Prise de décisions par plusieurs arbitres*

Dans une procédure arbitrale comportant plus d'un arbitre, toute décision du tribunal arbitral est, sauf convention contraire des parties, prise à la majorité de tous ses membres. Toutefois, les questions de procédure peuvent être tranchées par un arbitre-président, si ce dernier y est autorisé par les parties ou par tous les membres du tribunal arbitral.

Article 30 *Règlement par accord des parties*

(1) Si, durant la procédure arbitrale, les parties s'entendent pour régler le différend, le tribunal arbitral met fin à la procédure arbitrale et, si les parties lui en font la demande et s'il n'y voit pas d'objection, constate le fait par une sentence arbitrale rendue par accord des parties.

(2) La sentence d'accord des parties est rendue conformément aux dispositions de l'article 31 et mentionne le fait qu'il s'agit d'une sentence. Une telle sentence a le même statut et le même effet que toute autre sentence prononcée sur le fond de l'affaire.

Article 31 *Forme et contenu de la sentence*

(1) La sentence est rendue par écrit et signée par l'arbitre ou les arbitres. Dans la procédure arbitrale comprenant plusieurs arbitres, les signatures de la majorité des membres du tribunal arbitral suffisent, pourvu que soit mentionnée la raison de l'omission des autres.

(2) The award shall state the reasons upon which it is based, unless the parties have agreed that no reasons are to be given or the award is an award on agreed terms under article 30.

(3) The award shall state its date and the place of arbitration as determined in accordance with article 20 (1). The award shall be deemed to have been made at that place.

(4) After the award is made, a copy signed by the arbitrators in accordance with paragraph (1) of this article shall be delivered to each party.

Article 32. *Termination of proceedings*

(1) The arbitral proceedings are terminated by the final award or by an order of the arbitral tribunal in accordance with paragraph (2) of this article.

(2) The arbitral tribunal shall issue an order for the termination of the arbitral proceedings when:

(a) the claimant withdraws his claim, unless the respondent objects thereto and the arbitral tribunal recognizes a legitimate interest on his part in obtaining a final settlement of the dispute;

(b) the parties agree on the termination of the proceedings;

(c) the arbitral tribunal finds that the continuation of the proceedings has for any other reason become unnecessary or impossible.

(3) The mandate of the arbitral tribunal terminates with the termination of the arbitral proceedings, subject to the provisions of articles 33 and 34(4).

Article 33. *Correction and interpretation of award: additional award*

(1) Within thirty days of receipt of the award, unless another period of time has been agreed upon by the parties:

(a) a party, with notice to the other party, may request the arbitral tribunal to correct in the award any errors in computation, any clerical or typographical errors or any errors of similar nature;

(b) if so agreed by the parties, a party, with notice to the other party, may request the arbitral tribunal to give an interpretation of a specific point or part of the award.

If the arbitral tribunal considers the request to be justified, it shall make the correction or give the interpretation within thirty days of receipt of the request. The interpretation shall form part of the award.

(2) The arbitral tribunal may correct any error of the type referred to in paragraph (1) (a) of this article on its own initiative within thirty days of the date of the award.

(3) Unless otherwise agreed by the parties, a party, with notice to the other party, may request, within thirty days of receipt of the award, the arbitral tribunal to make an additional award as to claims presented in the arbitral proceedings but omitted from the award. If the arbitral tribunal considers the request to be justified, it shall make the additional award within sixty days.

(2) La sentence est motivée, sauf si les parties sont convenues que tel ne doit pas être le cas ou s'il s'agit d'une sentence rendue par accord des parties conformément à l'article 30.

(3) La sentence mentionne la date à laquelle elle est rendue, ainsi que le lieu de l'arbitrage déterminé conformément à l'article 20 (1). La sentence est réputée avoir été rendue audit lieu.

(4) Après le prononcé de la sentence, une copie signée par l'arbitre ou les arbitres conformément au paragraphe (1) du présent article en est remise à chacune des parties.

Article 32 *Clôture de la procédure*

(1) La procédure arbitrale est close par le prononcé de la sentence définitive ou par une ordonnance de clôture rendue par le tribunal arbitral conformément au paragraphe (2) du présent article.

(2) Le tribunal arbitral ordonne la clôture de la procédure arbitrale lorsque :

- a) le demandeur retire sa demande, à moins que le défendeur y fasse objection et que le tribunal arbitral reconnaisse qu'il a légitimement intérêt à ce que le différend soit définitivement réglé;
- b) les parties conviennent de clore la procédure;
- c) le tribunal arbitral constate que la poursuite de la procédure est, pour toute autre raison, devenue superflue ou impossible.

(3) Le mandat du tribunal arbitral prend fin avec la clôture de la procédure arbitrale, sous réserve des dispositions de l'article 33 et du paragraphe (4) de l'article 34.

Article 33 *Rectification et interprétation de la sentence et sentence additionnelle*

(1) Dans les trente jours qui suivent la réception de la sentence, à moins que les parties ne soient convenues d'un autre délai :

- a) une des parties peut, moyennant notification à l'autre, demander au tribunal arbitral de rectifier dans le texte de la sentence toute erreur de calcul, toute erreur matérielle ou typographique ou toute erreur de même nature;
- b) si les parties en sont convenues, une partie peut, moyennant notification à l'autre, demander au tribunal arbitral de donner une interprétation d'un point ou passage précis de la sentence.

Si le tribunal arbitral considère que la demande est justifiée, il fait la rectification ou donne l'interprétation dans les trente jours qui suivent la réception de la demande. L'interprétation fait partie intégrante de la sentence.

(2) Le tribunal arbitral peut, de son propre chef, rectifier toute erreur du type visé à l'alinéa a) du paragraphe (1) du présent article dans les trente jours qui suivent la date de la sentence.

(3) Sauf convention contraire des parties, l'une des parties peut, moyennant notification à l'autre, demander au tribunal arbitral, dans les trente jours qui suivent la réception de la sentence, de rendre une sentence additionnelle sur des chefs de demande exposés au cours de la procédure arbitrale mais omis dans la sentence. S'il juge la demande justifiée, le tribunal arbitral complète sa sentence dans les soixante jours.

(4) The arbitral tribunal may extend, if necessary, the period of time within which it shall make a correction, interpretation or an additional award under paragraph (1) or (3) of this article.

(5) The provisions of article 31 shall apply to a correction or interpretation of the award or to an additional award.

CHAPTER VII. RECOURSE AGAINST AWARD

Article 34. *Application for setting aside as exclusive recourse against arbitral award*

(1) Recourse to a court against an arbitral award may be made only by an application for setting aside in accordance with paragraphs (2) and (3) of this article.

(2) An arbitral award may be set aside by the court specified in article 6 only if:

(a) the party making the application furnishes proof that:

- (i) a party to the arbitration agreement referred to in article 7 was under some incapacity; or the said agreement is not valid under the law to which the parties have subjected it or, failing any indication thereon, under the law of this State; or
- (ii) the party making the application was not given proper notice of the appointment of an arbitrator or of the arbitral proceedings or was otherwise unable to present his case; or
- (iii) the award deals with a dispute not contemplated by or not falling within the terms of the submission to arbitration, or contains decisions on matters beyond the scope of the submission to arbitration, provided that, if the decisions on matters submitted to arbitration can be separated from those not so submitted, only that part of the award which contains decisions on matters not submitted to arbitration may be set aside; or
- (iv) the composition of the arbitral tribunal or the arbitral procedure was not in accordance with the agreement of the parties, unless such agreement was in conflict with a provision of this Law from which the parties cannot derogate, or, failing such agreement, was not in accordance with this Law; or

(b) the court finds that:

- (i) the subject-matter of the dispute is not capable of settlement by arbitration under the law of this State; or
- (ii) the award is in conflict with the public policy of this State.

(3) An application for setting aside may not be made after three months have elapsed from the date on which the party making that application had received the award or, if a request had been made under article 33, from the date on which that request had been disposed of by the arbitral tribunal.

(4) Le tribunal arbitral peut prolonger, si besoin est, le délai dont il dispose pour rectifier, interpréter ou compléter la sentence en vertu du paragraphe (1) ou (3) du présent article.

(5) Les dispositions de l'article 31 s'appliquent à la rectification ou l'interprétation de la sentence ou à la sentence additionnelle.

CHAPITRE VII. RECOURS CONTRE LA SENTENCE

Article 34 *La demande d'annulation comme recours exclusif contre la sentence arbitrale*

(1) Le recours formé devant un tribunal contre une sentence arbitrale ne peut prendre la forme que d'une demande d'annulation conformément aux paragraphes (2) et (3) du présent article.

(2) La sentence arbitrale ne peut être annulée par le tribunal visé à l'article 6 que si :

a) la partie en faisant la demande apporte la preuve :

- (i) qu'une partie à la convention d'arbitrage visée à l'article 7 était frappée d'une incapacité; ou que ladite convention n'est pas valable en vertu de la loi à laquelle les parties l'ont subordonnée ou, à défaut d'une indication à cet égard, en vertu de la loi du présent État, ou
- (ii) qu'elle n'a pas été dûment informée de la nomination d'un arbitre ou de la procédure arbitrale, ou qu'il lui a été impossible pour une autre raison de faire valoir ses droits, ou
- (iii) que la sentence porte sur un différend non visé dans le compromis ou n'entrant pas dans les prévisions de la clause compromissoire, ou qu'elle contient des décisions qui dépassent les termes du compromis ou de la clause compromissoire, étant entendu toutefois que, si les dispositions de la sentence qui ont trait à des questions soumises à l'arbitrage peuvent être dissociées de celles qui ont trait à des questions non soumises à l'arbitrage, seule la partie de la sentence contenant des décisions sur les questions non soumises à l'arbitrage pourra être annulé, ou
- (iv) que la constitution du tribunal arbitral, ou la procédure arbitrale, n'a pas été conforme à la convention des parties, à condition que cette convention ne soit pas contraire à une disposition de la présente loi à laquelle les parties ne peuvent déroger, ou, à défaut d'une telle convention, qu'elle n'a pas été conforme à la présente loi; ou

b) le tribunal constate :

- (i) que l'objet du différend n'est pas susceptible d'être réglé par arbitrage conformément à la loi du présent État, ou
- (ii) que la sentence est contraire à l'ordre public du présent État.

(3) Une demande d'annulation ne peut être présentée après l'expiration d'un délai de trois mois à compter de la date à laquelle la partie présentant cette demande a reçu communication de la sentence ou, si une demande a été faite en vertu de l'article 33, à compter de la date à laquelle le tribunal arbitral a pris une décision sur cette demande.

(4) The court, when asked to set aside an award, may, where appropriate and so requested by a party, suspend the setting aside proceedings for a period of time determined by it in order to give the arbitral tribunal an opportunity to resume the arbitral proceedings or to take such other action as in the arbitral tribunal's opinion will eliminate the grounds for setting aside.

CHAPTER VIII. RECOGNITION AND ENFORCEMENT OF AWARDS

Article 35. *Recognition and enforcement*

(1) An arbitral award, irrespective of the country in which it was made, shall be recognized as binding and, upon application in writing to the competent court, shall be enforced subject to the provisions of this article and of article 36.

(2) The party relying on an award or applying for its enforcement shall supply the duly authenticated original award or a duly certified copy thereof, and the original arbitration agreement referred to in article 7 or a duly certified copy thereof. If the award or agreement is not made in an official language of this State, the party shall supply a duly certified translation thereof into such language.

Article 36. *Grounds for refusing recognition or enforcement*

(1) Recognition or enforcement of an arbitral award, irrespective of the country in which it was made, may be refused only:

- (a) at the request of the party against whom it is invoked, if that party furnishes to the competent court where recognition or enforcement is sought proof that:
 - (i) a party to the arbitration agreement referred to in article 7 was under some incapacity; or the said agreement is not valid under the law to which the parties have subjected it or, failing any indication thereon, under the law of the country where the award was made, or
 - (ii) the party against whom the award is invoked was not given proper notice of the appointment of an arbitrator or of the arbitral proceedings or was otherwise unable to present his case, or
 - (iii) the award deals with a dispute not contemplated by or not falling within the terms of the submission to arbitration, or it contains decisions on matters beyond the scope of the submission to arbitration, provided that, if the decisions on matters submitted to arbitration can be separated from those not so submitted, that part of the award which contains decisions on matters submitted to arbitration may be recognized and enforced, or
 - (iv) the composition of the arbitral tribunal or the arbitral procedure was not in accordance with the agreement of the parties or, failing such agreement, was not in accordance with the law of the country where the arbitration took place, or
 - (v) the award has not yet become binding on the parties or has been set aside or suspended by a court of the country in which, or under the law of which, that award was made; or

(4) Lorsqu'il est prié d'annuler une sentence, le tribunal peut, le cas échéant et à la demande d'une partie, suspendre la procédure d'annulation pendant une période dont il fixe la durée afin de donner au tribunal arbitral la possibilité de reprendre la procédure arbitrale ou de prendre toute autre mesure que ce dernier juge susceptible d'éliminer les motifs d'annulation.

CHAPITRE VIII. RECONNAISSANCE ET EXÉCUTION DES SENTENCES

Article 35 *Reconnaissance et exécution*

(1) La sentence arbitrale, quel que soit le pays où elle a été rendue, est reconnue comme ayant force obligatoire et, sur requête adressée par écrit au tribunal compétent, est exécutée sous réserve des dispositions du présent article et de l'article 36.

(2) La partie qui invoque la sentence ou qui en demande l'exécution doit en fournir l'original dûment authentifié ou une copie certifiée conforme, ainsi que l'original de la convention d'arbitrage mentionnée à l'article 7 ou une copie certifiée conforme. Si ladite sentence ou ladite convention n'est pas rédigée dans une langue officielle du présent État, la partie en produira une traduction dûment certifiée dans cette langue.

Article 36 *Motifs de refus de la reconnaissance ou de l'exécution*

(1) La reconnaissance ou l'exécution d'une sentence arbitrale, quel que soit le pays où elle a été rendue, ne peut être refusée que :

a) sur la demande de la partie contre laquelle elle est invoquée, si ladite partie présente au tribunal compétent auquel est demandée la reconnaissance ou l'exécution la preuve :

- (i) qu'une partie à la convention d'arbitrage visée à l'article 7 était frappée d'une incapacité; ou que ladite convention n'est pas valable en vertu de la loi à laquelle les parties l'ont subordonnée ou, à défaut d'une indication à cet égard, en vertu de la loi du pays où la sentence a été rendue, ou
- (ii) que la partie contre laquelle la sentence est invoquée n'a pas été dûment informée de la désignation d'un arbitre ou de la procédure arbitrale, ou qu'il lui a été impossible pour une autre raison de faire valoir ses droits, ou
- (iii) que la sentence porte sur un différend non visé dans le compromis ou n'entrant pas dans les prévisions de la clause compromissoire, ou qu'elle contient des décisions qui dépassent les termes du compromis ou de la clause compromissoire, étant entendu toutefois que, si les dispositions de la sentence qui ont trait à des questions soumises à l'arbitrage peuvent être dissociées de celles qui ont trait à des questions non soumises à l'arbitrage, seule la partie de la sentence contenant des décisions sur les questions soumises à l'arbitrage pourra être reconnue et exécutée, ou
- (iv) que la constitution du tribunal arbitral, ou la procédure arbitrale, n'a pas été conforme à la convention des parties ou, à défaut d'une telle convention, à la loi du pays où l'arbitrage a eu lieu, ou
- (v) que la sentence n'est pas encore devenue obligatoire pour les parties ou a été annulée ou suspendue par un tribunal du pays dans lequel, ou en vertu de la loi duquel elle a été rendue; ou

(b) if the court finds that:

- (i) the subject-matter of the dispute is not capable of settlement by arbitration under the law of this State, or
- (ii) the recognition or enforcement of the award would be contrary to the public policy of this State.

(2) If an application for setting aside or suspension of an award has been made to a court referred to in paragraph (1) (a) (v) of this article, the court where recognition or enforcement is sought may, if it considers it proper, adjourn its decision and may also, on the application of the party claiming recognition or enforcement of the award, order the other party to provide appropriate security.

b) si le tribunal constate que :

(i) l'objet du différend n'est pas susceptible d'être réglé par arbitrage conformément à la loi du présent État, ou que

(ii) la reconnaissance ou l'exécution de la sentence serait contraire à l'ordre public du présent État.

(2) Si une demande d'annulation ou de suspension d'une sentence a été présentée à un tribunal visé au sous-alinéa (1) a) (v) du présent article, le tribunal auquel est demandée la reconnaissance ou l'exécution peut, s'il le juge approprié, surseoir à statuer et peut aussi, à la requête de la partie demandant la reconnaissance ou l'exécution de la sentence, ordonner à l'autre partie de fournir des sûretés convenables.

CHAPTER 31

An Act to amend the Municipal Act and certain other Acts related to municipalities

Assented to June 8th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 51 (3) and (4) of the *Municipal Act*, being chapter 302 of the Revised Statutes of Ontario, 1980, are repealed and the following substituted therefor:

(3) Subject to subsection (4) and notwithstanding section 62, the warden shall be elected in the manner provided by by-law passed by council prior to the election. Election of warden

(4) In the case of an equality of votes for warden, the successful candidate shall be determined by the clerk or presiding member placing the names of the candidates on equal size pieces of paper in a box and one name being drawn by a person chosen by the clerk or presiding member. Tie vote

(5) Notwithstanding anything in this Act, for the purposes of electing the warden, each member of county council shall have one vote. Number of votes

2. Subsection 78 (3) of the said Act is repealed.

3. Clause 144 (c) of the said Act is amended by striking out “at a public meeting of the council” in the third and fourth lines and inserting in lieu thereof “in such manner as may be prescribed by by-law of the council”.

4. Subsection 149 (2) of the said Act, as amended by the Statutes of Ontario, 1982, chapter 50, section 14, is further amended by adding thereto the following clause:

- (v) agreements for insurance and reciprocal contracts of indemnity or inter-insurance providing insurance and protection under paragraphs 3 and 50 of section 208 and under

1983, c. 8

section 248 of this Act and under section 14 of the *Municipal Conflict of Interest Act*, 1983.

5.—(1) Subsection 160 (1), subsection 160 (3), as amended by the Statutes of Ontario, 1984, chapter 55, section 222, and subsections 160 (4), (5) and (6) of the said Act are amended by striking out “\$50” wherever it occurs and inserting in lieu thereof in each instance “\$75”.

(2) Subsection 160 (8) of the said Act is amended by striking out “(6) or (7)” in the second line and inserting in lieu thereof “or (6)”.

(3) Subsection 160 (9) of the said Act is amended by striking out “(6) or (7)” in the second and third lines and inserting in lieu thereof “or (6)”.

(4) Subsection 160 (11) of the said Act is amended by striking out “(6) or (7)” in the fifth line and inserting in lieu thereof “or (6)”.

6.—(1) Subsection 189 (1) of the said Act is repealed and the following substituted therefor:

Current
borrowings

(1) A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or bankers' acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking fund, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide.

(2) Subsection 189 (6) of the said Act is repealed and the following substituted therefor:

Execution of
borrowing
instruments

(6) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the treasurer and by the head of the council or by some other person authorized by by-law to sign it.

Idem

(6a) The signature of the head of the council to all promissory notes or bankers' acceptances may be written, engraved, lithographed, printed or otherwise mechanically reproduced and, if such promissory notes or bankers' acceptances are countersigned in writing by the deputy treasurer, the signature

of the treasurer thereon may be written, engraved, lithographed, printed or otherwise mechanically reproduced.

(3) Subsection 189 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(4) Section 189 of the said Act is amended by adding thereto the following subsections:

(13) Where a municipality raises money by means of a bankers' acceptance, the municipality shall be deemed to be borrowing money. Deeming provision

(14) A bankers' acceptance authorized under this section, Bankers' acceptance

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada); R.S.C. 1970, c. B-5

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and 1980-81, c. 40 (Can.)

(c) may be discounted.

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent. Interest on promissory note

7.—(1) Paragraph 3 of section 208 of the said Act is repealed and the following substituted therefor:

3. For contracting for insurance, exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act* and for self-insuring, against risks that may involve pecuniary loss or liability on the part of the corporation, and for paying premiums therefor. Insurance
R.S.O. 1980, c. 218

(a) Notwithstanding subsections 340 (1) and (2) of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in such securities as a municipality may invest in under subsection 165 (2).

(b) The moneys raised for a reserve fund of a municipal reciprocal exchange may be expended, pledged or applied to a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were

members of the exchange and that may be subject to claims arising while they were members of the exchange, agree in writing and if section 339 of the *Insurance Act* is complied with.

R.S.O. 1980,
c. 218

R.S.O. 1980,
c. 303

- (c) A local board, as defined in the *Municipal Affairs Act*, has the same powers to contract for insurance, to exchange reciprocal contracts of indemnity and to self-insure as are conferred upon the council of a municipality under this paragraph.

2) Paragraph 43 of the said section 208, as amended by the Statutes of Ontario, 1982, chapter 50, section 23, is further amended by inserting after "thereof" in the fifth line "and for authorizing a committee of council or a municipal officer or servant, subject to such conditions as council may impose, to exercise any of the powers of council under this paragraph".

(3) Paragraph 44 of the said section 208, exclusive of the clauses, is repealed and the following substituted therefor:

Temporary
closing of
highway

44. For closing to vehicular traffic on a temporary basis for such period as shall be specified in the by-law, any highway under the jurisdiction of the council for such social, recreational, community, athletic or cinematographic purpose, or combination of such purposes, as may be specified in the by-law and for authorizing a committee of council or a municipal officer or servant, subject to such conditions as council may impose, to exercise any of the powers of council under this paragraph.

(4) Paragraph 50 of the said section 208, exclusive of clauses (b) to (d), is repealed and the following substituted therefor:

Liability
insurance,
payment of
damages, etc.
R.S.O. 1980,
c. 218

50. For contracting for insurance and, notwithstanding the *Insurance Act*, enabling the municipality to be or act as an insurer, to protect the employees of the municipality, or any class of such employees, against risks that may involve liability on the part of the employees and for paying premiums therefor or for paying any damages or costs awarded against any of the employees or expenses incurred by them as a result of any action or other proceeding arising out of acts or omissions done or made by them in their capacity as employees including while acting in the performance of any statutory duty or for paying any sum required in connection with the settlement of an action or other proceeding and for assuming the cost of defending the person in such an action or other proceeding.

(a) In this paragraph,

(i) “employee” means any salaried officer, clerk, workman, servant or other person in the employ of the municipality or of a local board and includes,

(A) a member of the police force of the municipality,

(B) persons that provide their services on behalf of the municipality without remuneration, exclusive of reimbursement of expenses or honoraria, if council of the municipality has passed a by-law designating such persons or classes of persons as employees for the purposes of this paragraph, and

(C) any other person or class of person designated as an employee by the Minister,

(ii) “local board” means a local board as defined in the *Municipal Affairs Act*.

R.S.O. 1980,
c. 303

(e) The *Insurance Act* does not apply to a municipality acting as an insurer for the purpose of this paragraph.

R.S.O. 1980,
c. 218

(5) Section 208 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 24, section 9, 1982, chapter 50, section 23 and 1987, chapter 10, section 20, is further amended by adding thereto the following paragraph:

50a. For exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act* for the purpose of protecting the employees of the municipality or any local board thereof, or any class of such employees, against those risks which the corporation may insure or self-insure under paragraph 50.

Reciprocal
contracts of
indemnity
R.S.O. 1980,
c. 218

(a) Notwithstanding subsections 340 (1) and (2) of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in such securities as a municipality may invest in under subsection 165 (2).

- (b) The moneys raised for a reserve fund of a municipal reciprocal exchange may be expended, pledged or applied to a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange, agree in writing and if section 339 of the *Insurance Act* is complied with.

R.S.O. 1980,
c. 218

- (c) Clauses (a) to (d) of paragraph 50 apply, with necessary modifications, to the powers conferred by this paragraph.

8. Paragraph 96 of section 210 of the said Act is amended by adding thereto the following clause:

- (c) No fees are payable under clause (b) in respect of a child residing in a trailer if the trailer is liable for assessment and taxation under the *Assessment Act*.

R.S.O. 1980,
c. 31

9.—(1) Clause 218 (1) (b) of the said Act is repealed and the following substituted therefor:

- (b) “capital cost” means the cost of constructing sewage works or water works, inclusive of all items of cost usually and properly chargeable to capital account, and where applicable, the interest amounts payable on the debentures to be issued for the works and the imputed interest costs determined under subsection (2a).

(2) Section 218 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 50, section 25, is further amended by adding thereto the following subsections:

(2a) Where a by-law passed under subsection (2) specifies that the capital cost of the works is to include the imputed interest cost on money supplied from the funds of the municipality to finance the owners’ share of the cost of the works, the rate of interest to be applied, for determining the imputed interest cost shall be the interest rate, as certified in writing by the treasurer, that the municipality would have expected to pay to finance the owners’ share of the cost of the work by debentures issued on the day named in the certificate having a schedule of maturity dates that would have coincided with the system of collecting the sewer rates or water works rates as established under clause (19) (a).

Rate of
interest for
long-term
financing

(2b) A day named in a certificate under subsection (2a), if it is prior to the day that the by-law specifying the capital cost of the works receives first reading, shall not be earlier than sixty days prior to that first reading. Date of certificate

(3) Subsection 218 (9) of the said Act is repealed and the following substituted therefor:

(9) Where debentures are issued in respect of sewage or water works, the revenue derived in any year from a rate imposed under subsection (2) for the capital cost of the works shall be applied and used towards payment of principal and interest due in that year upon the debentures, and the council shall reduce the amount of the debenture rate to be levied for such debentures in any year upon the rateable property liable therefor by the amount of revenue estimated to be derived in that year from the rate imposed under subsection (2). Revenue from rates

(9a) The revenue from the sewer rate or water works rate imposed under subsection (2), if not required for payment of principal and interest due as specified in subsection (9), may be credited by the municipality to its general revenues. Idem

10. Subsection 248 (1) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 8, section 16, is repealed and the following substituted therefor:

(1) The council of every municipality may at any time pass by-laws, Liability insurance, payment of damages, etc.

(a) for contracting for insurance;

(b) notwithstanding the *Insurance Act*, to enable the municipality to act as an insurer; and R.S.O. 1980, c. 218

(c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

for the purpose of protecting the members of the council or of any local board thereof, as defined in the *Municipal Affairs Act*, against risks that may involve liability on the part of the members and for paying premiums therefor or for paying any damages or costs awarded against any such members or expenses incurred by them as a result of any action or other proceeding, except a proceeding brought under the *Municipal Conflict of Interest Act, 1983*, arising out of acts or omissions done or made by them in their capacity as members or officers of the municipality or local board including while acting in the performance of any statutory duty or for paying any sum R.S.O. 1980, c. 303
1983, c. 8

required in connection with the settlement of an action or other proceeding and for assuming the cost of defending the member in such an action or other proceeding.

R.S.O. 1980,
c. 218 does
not apply

(1a) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of this section.

Investment of
funds

(1b) Notwithstanding subsections 340 (1) and (2) of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in such securities as a municipality may invest in under subsection 165 (2) of this Act.

Reserve fund

(1c) The moneys raised for a reserve fund of a municipal reciprocal exchange may be expended, pledged or applied to a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 339 of the *Insurance Act* is complied with.

R.S.O. 1980,
c. 218

11. The said Act is amended by adding thereto the following section:

Penalties for
contravention
of sewage
by-laws

321b.—(1) Notwithstanding section 321, the council of a municipality may pass by-laws for providing that any person who contravenes a by-law passed by the council that regulates or prohibits the discharge of any matter into a sewage system is guilty of an offence and for providing for the imposition of fines of not more than \$5,000 on every person who is convicted of a first offence and \$10,000 for any subsequent offence under any such by-law.

Corporations

(2) Notwithstanding subsection (1), where a corporation is convicted of an offence under a by-law passed under subsection (1), the maximum penalty that may be imposed upon the corporation is \$25,000 for the first offence and \$50,000 for any subsequent offence.

12. Subsection 386 (6) of the said Act is amended by striking out "fourteen days" in the seventh and eighth lines and inserting in lieu thereof "twenty-one days or such longer period as the council may authorize".

13.—(1) Subsection 387 (1) of the said Act, as amended by the Statutes of Ontario, 1986, chapter 64, section 37, is further amended,

- (a) by striking out “fourteen” in the second line and inserting in lieu thereof “twenty-one”; and
- (b) by inserting after “386” in the fourth line “or where a longer period has been authorized under subsection 386 (6), such taxes remain unpaid at the expiry of that period”.

(2) Subsection 387 (2) of the said Act is amended,

- (a) by striking out “fourteen” in the second line and inserting in lieu thereof “twenty-one”; and
- (b) by inserting after “386” in the fourth line “or where a longer period has been authorized under subsection 386 (6), such taxes remain unpaid at the expiry of that period”.

14. Subsection 495 (2) of the said Act is amended by inserting after “496” in the third line “or 496a”.

15. The said Act is further amended by adding thereto the following section:

496a.—(1) An application to the council for the cancellation, reduction or refund of taxes levied in the years indicated in subsections (5) and (6) may be made by any person who was overcharged by reason of any gross or manifest error in the preparation of the assessment roll that was an error of fact, which may include but is not limited to, clerical errors, the transposition of figures or typographical errors, but not an error in judgment in making the assessment upon which the taxes have been levied.

Reduction of taxes, etc., for clerical errors

(2) The council may by by-law appoint a committee composed of at least three persons who are members of council or who are eligible to be elected members of council but these persons shall not be employees of the municipality or of a local board as defined in the *Municipal Affairs Act* and the committee shall hear the applications under subsection (13) and section 106 applies thereto.

Delegation to committee

R.S.O. 1980, c. 303

(3) An application may be made from the 1st day of March until the 31st day of December of any year, by giving written notice to the clerk of the municipality.

When application to be made

(4) Where the Minister of Revenue extends the time for the return of the assessment roll of a municipality under subsection 35 (2) of the *Assessment Act*, an application under this section to the council of that municipality shall not be made

Idem

R.S.O. 1980, c. 31

earlier than sixty-one days after the assessment roll is returned.

Application,
general

(5) A separate application may be made for taxes levied in each or either of the two years preceding the year in which the application is made if the assessment on the property or business, as the case may be, has not been the subject of an appeal, complaint or application under section 34, 39 or 50 of the *Assessment Act*, in either of those years or in the year in which an application is made under this section, but where an error is made subsequent to all such appeals, complaints or applications under section 34, 39 or 50 of the *Assessment Act*, an application may be made under this section in respect to that error.

R.S.O. 1980,
s. 31

Application
in 1988

(6) Notwithstanding subsection (5), separate applications may be made in 1988 for taxes levied in each or any of the years 1982, 1983, 1984 and 1985 if,

- (a) the applicant has advised the municipality of the error before the 31st day of May, 1987; and
- (b) the assessment on the property or business, as the case may be, has not been the subject of an appeal, complaint or application under section 34, 39 or 50 of the *Assessment Act* in any of the years 1982 to 1988, but where an error is made subsequent to all such appeals, complaints or applications under section 34, 39 or 50 of the *Assessment Act*, an application may be made under this section in respect to that error.

Notice of
application

(7) The clerk shall forward a copy of the application to the assessment commissioner and the regional registrar of the Assessment Review Board.

When
application
not valid

(8) An application is not valid and shall not be heard by council unless,

- (a) the application complies with subsection (5) or (6); and
- (b) the assessment commissioner has confirmed an error in the assessment referred to in the application.

Notification
by clerk

(9) Where an application is not valid under subsection (8), the clerk shall notify the applicant in writing of the reasons therefor.

(10) Notice of a hearing by the council under this section shall be given by mail by the clerk of the municipality to the applicant not less than fourteen days before the date upon which the application is to be dealt with by the council.

Notice of hearing

(11) The council may reject the application or,

Determination by council

- (a) if the taxes have not been paid, cancel the whole of the taxes or reduce the taxes;
- (b) if the taxes have been paid in full, order a refund of the whole of the taxes or any part thereof; or
- (c) if the taxes have been paid in part, order a refund of the whole of the taxes paid or any part thereof and reduce or cancel the portion of the taxes unpaid.

(12) The decision of the council is final.

Decision final

(13) The council shall hear and dispose of every application not later than the 30th day of April in the year following the year in which the application is made and the clerk shall thereupon cause notice of the decision to be given by mail to the persons to whom notice of the hearing of the application was given.

Hearing

(14) Notwithstanding subsection (13), where council has appointed a committee to hear applications, the committee shall hear every application before the 31st day of March in the year following the year in which the application is made.

Idem, when committee appointed

(15) The clerk shall deliver or mail a copy of the notice of a decision of council to the assessment commissioner, but failure to comply with this subsection does not invalidate the proceedings taken under this section.

Notice of decision to assessment commissioner

(16) The Lieutenant Governor in Council may make regulations prescribing errors that are to be included or excluded as errors of fact under subsection (1).

Regulations

16. The said Act is further amended by adding thereto the following section:

498a.—(1) The Minister may pay taxes due to a municipality by a tenant, as defined in the *Assessment Act*, of land owned by Her Majesty in right of Ontario or in which Her Majesty in right of Ontario has an interest.

Tax arrangements for tenants of provincial government
R.S.O. 1980, c. 31

Idem

(2) Where the Minister pays the taxes due in any year on behalf of a tenant under subsection (1) in respect of land occupied by the tenant and the municipality accepts the payment, all future notices of taxes due to the municipality in respect of the tenant's occupancy of the land shall be sent to the Minister and not to the tenant.

Tenant's responsibility

(3) Where the Minister pays taxes on behalf of a tenant under subsection (1), the tenant ceases to be liable to the municipality for the taxes due but the Minister may recover the amount of the taxes in whole or in part from the tenant and the amount billed to a tenant by the Minister under this subsection shall be deemed to be a debt of the tenant owing to Her Majesty in right of Ontario.

Amount deemed to be taxes

(4) An amount received by a municipality under subsection (1) shall be treated in the same manner as if paid as taxes by the tenant.

17. Subsection 14 (1) of the *Municipal Conflict of Interest Act, 1983*, being chapter 8, is repealed and the following substituted therefor:

Insurance
R.S.O. 1980,
c. 302

(1) Notwithstanding section 248 of the *Municipal Act*, the council of every municipality may at any time pass by-laws,

(a) for contracting for insurance;

R.S.O. 1980,
c. 218

(b) notwithstanding the *Insurance Act*, to enable the municipality to act as an insurer; and

R.S.O. 1980,
c. 218

(c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses.

R.S.O. 1980,
c. 218 does
not apply

(1a) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1).

Surplus funds

(1b) Notwithstanding subsections 340 (1) and (2) of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in such securities as a municipality may invest in under subsection 165 (2) of the *Municipal Act*.

R.S.O. 1980,
c. 302

(1c) The moneys raised for a reserve fund of a municipal reciprocal exchange may be expended, pledged or applied to a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 339 of the *Insurance Act* is complied with.

Reserve
funds

R.S.O. 1980,
c. 218

18.—(1) Subsection 83 (1) of the *District Municipality of Muskoka Act*, being chapter 121 of the Revised Statutes of Ontario, 1980, is amended by inserting after “note” in the fifth line “or bankers’ acceptance”.

(2) Subsection 83 (5) of the said Act is repealed and the following substituted therefor:

(5) A promissory note or bankers’ acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

Execution of
borrowing
instruments

(3) Subsection 83 (6) of the said Act is amended by inserting after “notes” in the second line and in the fourth line in each instance “or bankers’ acceptances” and by inserting after “note” in the fifth line “or bankers’ acceptance”.

(4) Subsection 83 (8) of the said Act is amended by striking out “sealed with the corporate seal and” in the second line.

(5) Section 83 of the said Act is amended by adding thereto the following subsections:

(13) For the purposes of this section, where the District Corporation raises money by means of a bankers’ acceptance, the District Corporation shall be deemed to be borrowing money.

Deeming
provision

(14) A bankers’ acceptance authorized under this section,

Bankers’
acceptance

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

R.S.C. 1970,
c. B-5

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

1980-81,
c. 40 (Can.)

(c) may be discounted.

Interest on
promissory
note

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

(6) Subsection 108 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 48, section 9, is amended by inserting after "50" in the third line "50a".

19.—(1) Subsection 222 (1) of the *Municipality of Metropolitan Toronto Act*, being chapter 314 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 222 (6) of the said Act is repealed and the following substituted therefor:

Execution of
borrowing
instruments

(6) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

(3) Subsection 222 (7) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 222 (9) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 222 of the said Act is amended by adding thereto the following subsections:

Deeming
provision

(14) For the purposes of this section, where the Metropolitan Corporation raises money by means of a bankers' acceptance, the Metropolitan Corporation shall be deemed to be borrowing money.

Bankers'
acceptance

(15) A bankers' acceptance authorized under this section,

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

R.S.C. 1970
c. B-5

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

1980-81,
c. 40 (Can.)

(c) may be discounted.

Interest on
promissory
note

(16) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as

may be borrowed thereon from the time when such money is actually lent.

(6) Subsection 245 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 18, section 17 and amended by the Statutes of Ontario, 1988, chapter 19, section 13, is further amended by inserting after "50" in the third line "50a".

20.—(1) Subsection 92 (1) of the *County of Oxford Act*, being chapter 365 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 92 (5) of the said Act is repealed and the following substituted therefor:

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the warden or by some other person authorized by by-law to sign it and by the treasurer.

Execution of
borrowing
instruments

(3) Subsection 92 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 92 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 92 of the said Act is amended by adding thereto the following subsections:

(13) For the purposes of this section, where the County raises money by means of a bankers' acceptance, the County shall be deemed to be borrowing money.

Deeming
provision

(14) A bankers' acceptance authorized under this section,

Bankers'
acceptance

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

R.S.C. 1970,
c. B-5

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

1980-81,
c. 40 (Can.)

(c) may be discounted.

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

Interest on
promissory
note

(6) Subsection 117 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 66, section 6, is amended by inserting after "50" in the fifth line "50a".

21.—(1) Subsection 104 (1) of the *Regional Municipality of Durham Act*, being chapter 434 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 104 (5) of the said Act is repealed and the following substituted therefor:

Execution of
borrowing
instruments

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

(3) Subsection 104 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 104 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 104 of the said Act is amended by adding thereto the following subsections:

Deeming
provision

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Bankers'
acceptance

(14) A bankers' acceptance authorized under this section,

R.S.C. 1970,
c. B-5

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

1980-81,
c. 40 (Can.)

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

(c) may be discounted.

Interest on
promissory
note

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

(6) Subsection 129 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 5 and amended

by the Statutes of Ontario, 1987, chapter 22, section 1, is further amended by inserting after "50" in the fifth line "50a".

22.—(1) Subsection 86 (1) of the *Regional Municipality of Haldimand-Norfolk Act*, being chapter 435 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 86 (5) of the said Act is repealed and the following substituted therefor:

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

Execution of
borrowing
instruments

(3) Subsection 86 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 86 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 86 of the said Act is amended by adding thereto the following subsections:

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Deeming
provision

(14) A bankers' acceptance authorized under this section,

Bankers'
acceptance

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

R.S.C. 1970,
c. B-5

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

1980-81,
c. 40 (Can.)

(c) may be discounted.

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

Interest on
promissory
note

(6) Subsection 111 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 12 and amended

by the Statutes of Ontario, 1987, chapter 22, section 2, is further amended by inserting after "50" in the fifth line "50a".

23.—(1) Subsection 97 (1) of the *Regional Municipality of Halton Act*, being chapter 436 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 97 (5) of the said Act is repealed and the following substituted therefor:

Execution of
borrowing
instruments

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

(3) Subsection 97 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 97 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 97 of the said Act is amended by adding thereto the following subsections:

Deeming
provision

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Bankers'
acceptance

(14) A bankers' acceptance authorized under this section,

R.S.C. 1970,
c. B-5

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

1980-81,
c. 40 (Can.)

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

(c) may be discounted.

Interest on
promissory
note

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

(6) Subsection 122 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 17 and amended

by the Statutes of Ontario, 1987, chapter 22, section 3, is further amended by inserting after "50" in the fifth line "50a".

24.—(1) Subsection 108 (1) of the *Regional Municipality of Hamilton-Wentworth Act*, being chapter 437 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 108 (5) of the said Act is repealed and the following substituted therefor:

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

Execution of
borrowing
instruments

(3) Subsection 108 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 108 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 108 of the said Act is amended by adding thereto the following subsections:

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Deeming
provision

(14) A bankers' acceptance authorized under this section,

Bankers'
acceptance

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

R.S.C. 1970,
c. B-5

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

1980-81,
c. 40 (Can.)

(c) may be discounted.

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

Interest on
promissory
note

(6) Subsection 133 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 46, section 4 and amended

by the Statutes of Ontario, 1987, chapter 22, section 4, is further amended by inserting after "50" in the fifth line "50a".

25.—(1) Subsection 137 (1) of the *Regional Municipality of Niagara Act*, being chapter 438 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 137 (5) of the said Act is repealed and the following substituted therefor:

Execution of
borrowing
instruments

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the financial officer.

(3) Subsection 137 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 137 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 137 of the said Act is amended by adding thereto the following subsections:

Deeming
provision

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Bankers'
acceptance

(14) A bankers' acceptance authorized under this section,

R.S.C. 1970,
c. B-5

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

1980-81,
c. 40 (Can.)

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

(c) may be discounted.

Interest on
promissory
note

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

(6) Subsection 161 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 31 and amended

by the Statutes of Ontario, 1987, chapter 22, section 5, is further amended by inserting after "50" in the fifth line "50a".

26.—(1) Subsection 128 (1) of the *Regional Municipality of Ottawa-Carleton Act*, being chapter 439 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 128 (5) of the said Act is repealed and the following substituted therefor:

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

Execution of
borrowing
instruments

(3) Subsection 128 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 128 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 128 of the said Act is amended by adding thereto the following subsections:

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Deeming
provision

(14) A bankers' acceptance authorized under this section,

Bankers'
acceptance

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

R.S.C. 1970,
c. B-5

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

1980-81,
c. 40 (Can.)

(c) may be discounted.

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

Interest on
promissory
note

(6) Subsection 163 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 35 and amended

by the Statutes of Ontario, 1987, chapter 22, section 6, is further amended by inserting after "50" in the third line "50a".

27.—(1) Subsection 92 (1) of the *Regional Municipality of Peel Act*, being chapter 440 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 92 (5) of the said Act is repealed and the following substituted therefor:

Execution of
borrowing
instruments

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

(3) Subsection 92 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 92 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 92 of the said Act is amended by adding thereto the following subsections:

Deeming
provision

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Bankers'
acceptance

(14) A bankers' acceptance authorized under this section,

R.S.C. 1970,
c. B-5

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

1980-81,
c. 40 (Can.)

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

(c) may be discounted.

Interest on
promissory
note

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

(6) Subsection 117 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 41 and amended

by the Statutes of Ontario, 1987, chapter 22, section 7, is further amended by inserting after "50" in the fifth line "50a".

28.—(1) Subsection 79 (1) of the *Regional Municipality of Sudbury Act*, being chapter 441 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 79 (5) of the said Act is repealed and the following substituted therefor:

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

Execution of
borrowing
instruments

(3) Subsection 79 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 79 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 79 of the said Act is amended by adding thereto the following subsections:

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Deeming
provision

(14) A bankers' acceptance authorized under this section,

Bankers'
acceptance

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

R.S.C. 1970,
c. B-5

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

1980-81,
c. 40 (Can.)

(c) may be discounted.

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

Interest on
promissory
note

(6) Subsection 103 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 48 and amended

by the Statutes of Ontario, 1987, chapter 22, section 8, is further amended by inserting after "50" in the third line "50a".

29.—(1) Subsection 126 (1) of the *Regional Municipality of Waterloo Act*, being chapter 442 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 126 (5) of the said Act is repealed and the following substituted therefor:

Execution of
borrowing
instruments

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the treasurer.

(3) Subsection 126 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 126 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 126 of the said Act is amended by adding thereto the following subsections:

Deeming
provision

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Bankers'
acceptance

(14) A bankers' acceptance authorized under this section,

R.S.C. 1970,
c. B-5

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

1980-81,
c. 40 (Can.)

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

(c) may be discounted.

Interest on
promissory
note

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

(6) Subsection 151 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 54 and amended

by the Statutes of Ontario, 1987, chapter 22, section 9, is further amended by inserting after "50" in the third line "50a".

30.—(1) Subsection 129 (1) of the *Regional Municipality of York Act*, being chapter 443 of the Revised Statutes of Ontario, 1980, is amended by inserting after "note" in the fifth line "or bankers' acceptance".

(2) Subsection 129 (5) of the said Act is repealed and the following substituted therefor:

(5) A promissory note or bankers' acceptance made under the authority of this section shall be signed by the chairman or by some other person authorized by by-law to sign it and by the financial officer.

Execution of
borrowing
instruments

(3) Subsection 129 (6) of the said Act is amended by inserting after "notes" in the second line and in the fourth line in each instance "or bankers' acceptances" and by inserting after "note" in the fifth line "or bankers' acceptance".

(4) Subsection 129 (8) of the said Act is amended by striking out "sealed with the corporate seal and" in the second line.

(5) Section 129 of the said Act is amended by adding thereto the following subsections:

(13) For the purposes of this section, where the Regional Corporation raises money by means of a bankers' acceptance, the Regional Corporation shall be deemed to be borrowing money.

Deeming
provision

(14) A bankers' acceptance authorized under this section,

Bankers'
acceptance

(a) shall be drawn as a bill of exchange under the *Bills of Exchange Act* (Canada);

R.S.C. 1970,
c. B-5

(b) shall be accepted by a bank to which the *Bank Act* (Canada) applies; and

1980-81,
c. 40 (Can.)

(c) may be discounted.

(15) A promissory note authorized under this section may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent.

Interest on
promissory
note

(6) Subsection 153 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 59 and amended

by the Statutes of Ontario, 1987, chapter 22, section 10, is further amended by inserting after "50" in the third line "50a".

Commence-
ment

31.—(1) This Act, except sections 5, 8, 12, 13 and 16, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 5, 8 and 16 shall be deemed to have come into force on the 1st day of January, 1987.

Idem

(3) Sections 12 and 13 come into force on the 1st day of January, 1989.

Short title

32. The short title of this Act is the *Municipal Statute Law Amendment Act, 1988*.

CHAPTER 32

An Act respecting Energy Efficiency

Assented to June 8th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Deputy Minister” means the Deputy Minister of Energy;

“prescribed” means prescribed by the regulations;

“regulations” means regulations made under this Act.

2. This Act applies to the following appliances and products: Application

1. Central air conditioners.
2. Clothes dryers.
3. Clothes washers.
4. Dishwashers.
5. Freezers.
6. Furnaces.
7. Heat pumps.
8. Ovens.
9. Ranges.
10. Refrigerators.
11. Room air conditioners.
12. Pool heaters.
13. Water heaters.
14. Prescribed appliances and products.

3.—(1) No person shall offer for sale, sell or lease an appliance or product to which this Act applies unless,

Appliances
and products,
efficiency
standards

- (a) the appliance or product meets the prescribed efficiency standard with respect to the appliance or product; and

- (b) a prescribed label that sets out the efficiency standard of the appliance or product is affixed to the appliance or product.

Labels

(2) No person shall affix a prescribed label to an appliance or product to which this Act applies unless the appliance or product meets the prescribed efficiency standard with respect to the appliance or product.

Application
of subs. (1)

(3) Subsection (1) does not apply to,

- (a) an appliance or product that is manufactured on or before a prescribed date and that is sold or leased on or before a prescribed date; or
- (b) a person who is not in the business of offering for sale, selling or leasing appliances or products to which this Act applies.

Inspectors

4.—(1) The Deputy Minister may designate in writing any person as an inspector for the purposes of this Act.

Powers

(2) For the purposes of this Act and the regulations, an inspector designated under subsection (1),

- (a) may enter any place where an appliance or product to which this Act applies is manufactured, offered for sale, sold or leased at any reasonable time;
- (b) may request the production for inspection of documents or things that may be relevant to the carrying out of an inspection or test on an appliance or product to which this Act applies;
- (c) upon giving a receipt therefor, may remove from a place documents or things produced pursuant to a request under clause (b) for the purpose of making copies or extracts and shall promptly return them to the person who produced them;
- (d) may inspect and test any appliance or product to which this Act applies to ensure that the appliance or product complies with the provisions of this Act and the regulations; and
- (e) may require any person to co-operate in and assist with an inspection or test.

Entry of
dwelling

(3) A person shall not exercise a power of entry conferred by this Act to enter the dwelling of a person who is not in the

business of manufacturing, offering for sale, selling or leasing appliances or products to which this Act applies.

(4) A person shall not exercise a power of entry conferred by this Act to enter a place that is being used as a dwelling without the consent of the occupier except under the authority of a warrant issued under this section. Idem

(5) Where a justice of the peace is satisfied on evidence upon oath that there are in a place documents or things that there is reasonable ground to believe will afford evidence relevant to the carrying out of an inspection or test under this Act, the justice of the peace may issue a warrant in the prescribed form authorizing the person named in the warrant to search the place for any such documents or things and to remove them for the purposes of making copies or extracts and they shall be returned promptly to the place from which they were removed. Warrant for search

(6) Where a justice of the peace is satisfied on evidence upon oath that there is reasonable ground to believe it is necessary that a place being used as a dwelling or to which entry has been denied be entered so that an inspector may carry out an inspection or test under this Act, the justice of the peace may issue a warrant in the prescribed form authorizing such entry by the person named in the warrant. Warrant for entry

(7) A warrant issued under this section, Execution and expiry of warrant

(a) shall specify the hours and days during which it may be executed; and

(b) shall name a date on which it expires, which date shall not be later than fifteen days after its issue.

(8) No person shall hinder, obstruct or interfere with or impede an inspector, Obstruction

- (a) who is exercising a power under subsection (2); or
- (b) who is executing a warrant.

(9) Subsection (8) is not contravened where a person refuses to produce documents or things, unless a warrant has been issued under subsection (5). Idem

(10) Where information is required to be furnished or a document is required to be provided or produced under this Act or the regulations, no person furnishing such information False information, etc.

or providing or producing such document shall furnish false information or provide or produce a false document.

Admissibility
of copies

(11) Copies of, or extracts from, documents and things removed from premises under this Act and certified by the person who made the copies as being true copies of, or extracts from, the originals are admissible in evidence to the same extent as, and have the same evidentiary value as, the documents or things of which they are copies or extracts.

Idem

(12) No document or thing or copy thereof or extract therefrom in the possession of an inspector shall be introduced in evidence in any proceeding under this Act unless the owner of the document or thing is first given notice of the intent to introduce it into evidence.

Penalty

5.—(1) Every person who contravenes any provision of this Act or the regulations is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 or, if the person is a body corporate, to a fine of not more than \$25,000.

Idem

(2) Where a body corporate contravenes any provision of this Act or the regulations, every director or officer of the body corporate who authorizes, permits or acquiesces in the contravention is a party to and guilty of an offence and on conviction is liable to the penalty provided for the offence whether or not the body corporate has been prosecuted or convicted.

Regulations

6.—(1) The Lieutenant Governor in Council may make regulations,

- (a) prescribing appliances and products to which this Act applies in addition to those appliances and products set out in section 2;
- (b) respecting any matter referred to as prescribed by the regulations;
- (c) regulating the installation, testing, maintenance and repair of appliances and products to which this Act applies;
- (d) designating persons or organizations to test appliances and products to which this Act applies to the prescribed standards;

- (e) providing for the placing of a prescribed label on appliances and products that conform to the prescribed standards;
- (f) prescribing the contents of labels that may be placed on appliances and products to which this Act applies;
- (g) prescribing fees to be paid to designated persons or organizations for the testing or labeling of appliances and products and prescribing by whom the fees shall be paid;
- (h) prescribing forms and providing for their use;
- (i) providing for information to be reported by persons who manufacture, offer for sale, sell or lease appliances or products to which this Act applies including the frequency, time and manner for reporting;
- (j) governing the keeping of information, records and documents by persons who manufacture, offer for sale, sell or lease appliances or products to which this Act applies;
- (k) exempting any person, appliance or product from any provision of this Act or the regulations.

(2) A regulation may be general or specific in its application. Idem

(3) A regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code or standard and may require compliance with any code or standard adopted. Codes

7. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor. Commence-
ment

8. The short title of this Act is the *Energy Efficiency Act*, Short title
1988.

CHAPTER 33

An Act to amend the Municipal Elections Act and the Municipal Act

Assented to June 8th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The *Municipal Elections Act*, being chapter 308 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following section:

14a. No corporation is eligible to vote in any election.

Corporation
not eligible
to vote

2. Subsection 25 (6) of the said Act is repealed and the following substituted therefor:

(6) Every registered candidate, as defined in section 121 or section 138, is entitled to be furnished by the clerk with two copies of the preliminary list of electors entitled to vote in an election.

Registered
candidate
entitled to
copies

3. Subsection 46 (1) of the said Act is amended by inserting after "electors" in the fourth line "allows easy access to persons who have a physical disability or a mobility impairment".

4. Section 52 of the said Act is amended by striking out "11" in the second line and inserting in lieu thereof "10".

5.—(1) Subsection 66 (1) of the said Act is amended by inserting after "day" in the third line "and on the Thursday immediately before polling day".

(2) Subsection 66 (3) of the said Act is amended by striking out "9" in the first line and inserting in lieu thereof "10".

(3) Subsection 66 (4) of the said Act is amended by inserting after "necessary" in the second line "shall select locations that allow easy access to persons who have a physical disability or a mobility impairment".

6. Subsection 67 (1) of the said Act, as amended by the Statutes of Ontario, 1985, chapter 4, section 9, is repealed and the following substituted therefor:

Who may
vote by
proxy

(1) Any person whose name is entered in the polling list for a polling subdivision or who has obtained a certificate under section 33 may vote by proxy in the polling subdivision.

7. Section 82 of the said Act is repealed.

8. Section 83 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 37, section 14, is repealed and the following substituted therefor:

RECOUNTS

Recount
officer

83.—(1) The clerk of every municipality, at the same time as the clerk appoints officials under section 4, may appoint a person as recount officer.

Disqualifi-
cation

(2) No person who is a candidate or who is less than eighteen years of age shall be appointed a recount officer.

Oath

(3) A recount officer shall, before performing any duties, take the oath in the prescribed form.

9. Sections 84, 85, 86, 87 and 88 of the said Act are repealed and the following substituted therefor:

Clerk as
recount
officer

84.—(1) If a recount officer is not appointed under subsection 83 (1), subject to subsections (2) to (5), the clerk of a municipality is the recount officer for elections within the municipality or any part of it.

Recount
officer,
regional
chairman

(2) The clerk of the area municipality with the greatest number of electors is the recount officer for the election of the chairman of a regional municipality.

Recount
officer, police
village

(3) The clerk of the municipality in which a police village is located is the recount officer for the election of the trustees of the police village.

Idem

(4) If the police village is located in two or more municipalities, the clerk of the municipality having the largest number of electors in the police village is the recount officer for the election of the trustees.

Recount
officer,
school
trustees
R.S.O. 1980,
c. 129

(5) The returning officers of municipalities that hold elections for school trustees under the *Education Act* are recount officers for the election of the school trustees.

(6) Where the recount officer of a municipality has participated in the actual counting of the ballots for a polling subdivision in an election or, for any reason, is unable to conduct a recount arising as a result of the election, the recount officer shall immediately appoint a person to act as the recount officer for that election who is not disqualified under subsection 83 (2). Recount officer replacement

(7) A person need not be appointed under subsection (6) if the recount does not involve the examining and counting of ballots for the polling subdivision in respect of which the recount officer participated in the actual counting of the ballots. Exception

85.—(1) The recount officer is responsible for the proper preparation for and conduct of a recount in the election and, for this purpose, shall direct the training of persons appointed under this section and supervise their work. Duty of recount officer

(2) The recount officer may appoint assistant recount officers and may provide for such clerical and other assistance as is necessary to conduct a recount. Assistants

- (3) No person shall be appointed under this section who, Disqualification
- (a) is a candidate;
 - (b) is less than eighteen years of age; or
 - (c) has participated in the actual counting of the ballots for a polling subdivision in the election.

(4) Clause (3) (c) does not apply if the recount does not involve the examining and counting of ballots for the polling subdivision in respect of which the person who is to be appointed an assistant recount officer participated in the actual counting of the ballots. Exception

(5) The recount officer may in writing delegate to the assistant recount officers such rights and duties in relation to the preparation for and conduct of a recount as the recount officer considers necessary, but such delegation does not preclude the continued exercise of those rights and performance of those duties by the recount officer. Delegation by recount officer

(6) The recount officer may appoint persons to aid in maintaining peace and order at the recount. Other appointments

(7) Every recount officer, assistant recount officer, scrutineer and any other person authorized to attend and serve at a Oath

recount shall, before performing any duties, take the oath in the prescribed form.

Who may
administer
oaths

(8) The recount officer may administer any oath required in relation to a recount, and assistant recount officers may administer any such oath except an oath to be taken by the recount officer.

Remuner-
ation and
expenses

(9) The municipality shall pay to persons appointed under this section reasonable remuneration and the expenses incurred in attending the recount, but if the recount has been held at the request of a school board or a local board or at the request of a candidate for election to a school board or local board, the school board or local board, as the case may be, shall pay the remuneration and expenses.

Certification
of expenses

(10) The expenses under subsection (9) shall be paid out only upon presentation of a certificate signed by the clerk of the municipality verifying the amount payable.

Tie votes,
recount

86.—(1) If,

- (a) two or more candidates nominated for the same office have an equal number of votes and both or all of the candidates cannot be declared elected to the office; or
- (b) the votes for the affirmative and negative on a by-law or question are equal,

the recount officer shall, after the tied vote has been publicly announced, immediately appoint a time and place to hold a recount of the votes cast for those candidates or on the by-law or question.

When
recount to
be held

(2) The time appointed by the recount officer for a recount under subsection (1) shall be no later than seven days after the declaration of the results of the election under subsection 79 (2) or 79 (3).

Where vote
is close

86a.—(1) If the number of votes separating a candidate who was not declared elected and a candidate who was declared elected or, for an office to which more than one person may be elected, who was declared elected with the least number of votes, is less than one half of one vote for each polling subdivision in the election for that office, or less than ten votes, whichever is greater, the results shall be included in the statement required under subsection 79 (2) or 79 (3).

(2) If subsection (1) applies and if a candidate who was not declared elected so requests in writing, the recount officer shall hold a recount.

Recount on request

(3) A request for a recount under subsection (2) shall be made to the recount officer not later than seven days after the declaration of the results of the election under subsection 79 (2) or 79 (3).

When request for recount to be made

(4) Upon receiving a request for a recount under this section, the recount officer shall appoint a time and place for the recount.

Time and place for recount

(5) The time appointed by the recount officer for a recount under subsection (4) shall be no earlier than ten days and no later than twenty days after the request for the recount is received.

When recount to be held

86b.—(1) Following an election for the members of the council of a municipality, regional municipality or metropolitan municipality or of a school board or of a local board, where a recount of the votes for the office or for the affirmative or negative on any by-law or question is considered to be in the public interest, the council, school board or local board, as the case may be, may pass a resolution requiring the recount officer to hold a recount.

Recount resolution

(2) A resolution for a recount under subsection (1) shall be passed no later than thirty days after the declaration of the results of the election under subsection 79 (2) or 79 (3).

When resolution to be passed

(3) If a resolution for a recount is passed under subsection (1) within the time period set out in subsection (2), the recount officer shall appoint a time and place for the recount.

Time and place for recount

(4) The time appointed by the recount officer for a recount shall be no earlier than ten days and no later than twenty days after the passing of the resolution under subsection (1).

When recount to be held

87.—(1) If, in any election, an elector has reasonable grounds for believing that,

Application for recount by elector

- (a) the votes have been improperly counted or any ballot has been improperly rejected;
- (b) an incorrect statement of the number of votes for any candidate or for or against any by-law or question has been made; or
- (c) the votes have been improperly added up,

the elector may apply to a judge of the District Court of the county or district in which the municipality or part thereof or the administrative or head office of the school board or local board is situate for a determination whether a recount should be held.

Affidavit and
deposit to
accompany
application

(2) An application for a recount under subsection (1) shall be commenced no later than thirty days after the declaration of the results of the election under subsection 79 (2) or 79 (3) and shall be accompanied by,

- (a) an affidavit or affidavits setting out the grounds for the recount and the facts in support of those grounds; and
- (b) a deposit in the sum of \$100 as security for the costs in connection with the application.

Contents of
affidavit

(3) An affidavit under clause (2) (a) shall be confined to facts within the personal knowledge of the person making the affidavit or to other evidence that this person could give if testifying as a witness in court.

Form of
deposit

(4) A deposit under clause (2) (b) shall be in the form of cash or in the form of a money order or certified cheque made payable to the local registrar of the District Court, or in any combination thereof.

Parties to
be served

(5) Copies of the notice of application, the application for a recount and affidavits in support of the application shall be served by the applicant,

- (a) where the application concerns an election to office, upon each candidate for that office; and
- (b) upon the recount officer.

Disposition
of
application,
etc.

(6) The judge, if satisfied that there are sufficient grounds for a recount, shall order that a recount be held by the recount officer and may determine which ballot boxes, if any, shall be opened for the purpose of the recount.

Where
recount
ordered

(7) If the judge has ordered a recount, the judge shall immediately notify the recount officer in writing and the recount officer shall appoint a time and place to hold the recount.

When
recount to
be held

(8) The time appointed by the recount officer for a recount shall be no earlier than ten days and no later than twenty days

following the date the recount officer receives the notice from the judge.

(9) The costs with respect to a recount conducted under this section are in the discretion of the judge ordering the recount who may order by whom, to whom and in what manner the costs shall be paid. Costs

88.—(1) The recount officer shall give at least six days notice in writing of the time and place of the recount to, Notice of recount

- (a) the candidate who requested the recount, the council or school board or local board which passed the resolution for the recount, or the elector who applied to the judge for the recount, as the case may be;
- (b) the candidates for the office which is the subject of the recount;
- (c) if the recount officer is not the returning officer of the municipality, the returning officer of the municipality; and
- (d) if the recount concerns the election of chairman of a regional municipality, the trustees of a police village or the members of a school board, the clerk of any other municipality who was the returning officer for the vote to be recorded in that clerk's municipality.

(2) The recount officer shall attend the recount and bring the ballot boxes and all documents relating to the election. Attendance of recount officer

(3) If the recount officer is not the returning officer of the municipality, the returning officer of the municipality, or a person appointed by the returning officer, shall attend the recount and bring the ballot boxes and all documents relating to the election. Where recount officer not returning officer

(4) If the recount concerns the election of chairman of a regional municipality or of trustees of a police village or of members of a school board, the clerk of any other municipality who was the returning officer for the vote to be recorded in that clerk's municipality, or a person appointed by the clerk, shall attend the recount and bring the ballot boxes and all documents relating to the election. Regional chairman, police village and school board elections

(5) Each candidate for an office to which the recount relates and the elector, if any, who applied for the recount are entitled to be present and to be represented by counsel and to Who may be present

have present a scrutineer appointed for that purpose, and, where the recount relates to a by-law or question, such persons as the council may appoint as scrutineers are entitled to be present, but no other person, except with the permission of the recount officer, is entitled to be present at the recount.

Application
of certain
provisions

(6) Subsections 4 (8) and (10) and sections 6 and 7 apply with necessary modifications to scrutineers appointed under subsection (5).

What ballots
involved in
recounts

88a.—(1) If a recount relates to the election of a candidate, the recount shall be of the votes cast,

- (a) where subsection 86 (1) applies, for the two or more candidates who have an equal number of votes;
- (b) where subsection 86a (1) applies, for the candidate declared elected when only one is to be elected or, in the case of an office to which more than one is to be elected, for the candidate who received the lowest number of votes of those declared elected and for the defeated candidate or candidates who received enough votes for the same office to fall within the margin of votes prescribed by that subsection; and
- (c) in all other cases, for the candidate declared elected when only one is to be elected or, in the case of an office to which more than one is to be elected, for the candidate who received the lowest number of votes of those declared elected by the returning officer and for the defeated candidate who received the highest number of votes for the same office.

Recount of
votes cast
for other
candidates

(2) Notwithstanding subsection (1), the recount officer may conduct a recount of the votes cast for any other candidate whose election or right to any other office may be affected by the recount conducted under subsection (1).

Procedure at
recount

88b.—(1) At the time and place appointed for the recount, and in the presence of those persons who are entitled to be present and who have attended, the recount officer shall add the votes from the statements returned to the returning officer by the deputy returning officers, or shall count the ballots received by the returning officer from the deputy returning officers and the number of votes counted at the election, or both, as the recount officer considers appropriate, and for this purpose shall open the sealed envelopes containing,

- (a) the ballots that were not objected to and were counted;
- (b) the ballots that were objected to but were counted;
- (c) the rejected ballots;
- (d) the cancelled ballots;
- (e) the ballots that were used but were unmarked;
- (f) the declined ballots; and
- (g) the unused ballots.

(2) Subject to sections 88c and 88d, the recount officer, in conducting the recount, shall determine the validity of ballots, and shall verify or correct the statement of the vote for each polling subdivision.

Verification
of statement
of the vote

88c.—(1) A candidate, a representative of the candidate or a scrutineer who objects to the validity of a ballot or to the counting of votes in any ballot may request that the recount officer make an application to a judge of the District Court for an order determining the validity of the ballot.

Application
to judge

(2) If the recount officer fails to make an application within five days of a request being made under subsection (1), the party making the request may apply directly to a judge of the District Court.

Direct
application

(3) No hearing under subsection (1) shall be held until the recount officer has complied with subsection 88b (2).

When
hearing to
be held

(4) If an application is made under subsection (1), the recount officer shall,

Procedure
where
application
made

- (a) write the number of the polling subdivision on the back of and initial any disputed ballots that are the subject of the application and seal them in a separate envelope clearly marked so as to indicate its contents;
- (b) give at least six days notice in writing of the time and place of the hearing of the application to the parties to the recount; and
- (c) make suitable arrangements for the safekeeping of any ballots that are not the subject of the appli-

cation and any documents relating to the election that are not relevant to the application.

Attendance
of recount
officer at
hearing

(5) The recount officer shall attend the hearing of the application and bring the envelope containing the disputed ballots that are the subject of the application and any documents relating to the election that are relevant to the application.

Procedure
at hearing

(6) The judge, in the presence of the persons entitled to be present at the recount and who have attended the hearing, shall determine the validity of the ballot or to the counting of votes in any ballot and for this purpose shall open the sealed envelope containing the disputed ballots.

Distin-
guishing
disputed
ballots

(7) If a party to the application requests the judge to do so, the judge shall initial any ballots the validity of which, notwithstanding any order to the contrary made by the judge under this section, is disputed by the party and seal the disputed ballots in a separate envelope clearly marked so as to indicate its contents.

Procedure on
completion
of hearing

(8) Upon completion of the hearing, the judge shall make an order determining the validity of the ballot and shall,

- (a) advise the persons present of the order;
- (b) except as provided by subsection (7), seal the disputed ballots in their original envelope; and
- (c) return the envelope referred to in clause (b), along with any documents relating to the election that were examined during the course of the hearing, to the custody of the recount officer.

Judge to
give order
to recount
officer

(9) The judge shall give a certified copy of the order to the recount officer unless, within five days following the hearing, the judge receives a notice of appeal under section 88j.

Recount
officer to
complete
recount

(10) Upon receipt of the judge's order, the recount officer shall complete the recount.

Costs of
application

(11) Subject to subsection (12), the costs of the application shall be borne by the municipality, school board or local board to which the recount relates.

Idem

(12) If the judge finds that any objection is frivolous or vexatious, the judge may order that the costs of the application be paid by the person who made the objection.

(13) Upon the expiry of the time for appeal from a decision of the judge, if no appeal has been taken, the judge shall return the envelope described in subsection (7) to the custody of the recount officer.

Where
no appeal,
envelope to
be returned

88d. Notwithstanding section 88c, if a party to the recount requests the recount officer to do so, the recount officer shall write the number of the polling subdivision on the back of and initial any disputed ballots and seal them in a separate envelope clearly marked so as to indicate its contents.

Distin-
guishing
disputed
ballots

88e.—(1) Upon completion of the recount, the recount officer shall,

Procedure on
completion
of recount

- (a) announce the result to the persons present at the recount; and
- (b) except as provided in section 88d, seal the ballots in their original envelopes and the original statements in a separate envelope clearly marked so as to indicate its contents.

(2) The recount officer shall certify in writing the result of the recount, unless, within five days following the completion of the recount, the recount officer receives a notice of appeal under section 88j.

Certification
by recount
officer

(3) Following certification of the result of the recount, the returning officer shall declare the candidate or candidates, as the case may be, having the greatest number of votes to be elected or certify to the council the result of the vote with respect to a by-law or question, as applicable.

Declaration
of result by
returning
officer after
recount, etc.

88f.—(1) In the case of a tied vote for candidates for any office for which one person only is to be elected, or for which the holding of any other office is to be determined as a result of a recount, the successful candidate shall be determined by lot conducted by the recount officer.

Tied votes

(2) The lot shall be conducted by placing the names of the candidates on equal size pieces of paper in a box, and the name drawn by the recount officer shall be the successful candidate.

Method of
conducting
lot

88g. The costs of the recount, unless otherwise ordered by a judge, shall be borne by the municipality, school board or local board to which the recount relates.

Costs of
recount

88h.—(1) Upon the expiry of the time for appeal from a decision of the recount officer, if no appeal has been taken,

If no appeal,
envelopes to
be returned

the recount officer shall return the envelopes described in section 88d and clause 88e (1) (b) to the custody of the appropriate clerk or returning officer.

Documents
not required
on appeal

(2) If an appeal is taken from the decision of the recount officer on the recount, the recount officer shall return the envelopes of ballots and the original statements of the vote described in clause 88e (1) (b) that are not required for the appeal to the custody of the appropriate clerk or returning officer.

Right to sit
pending
recount

88i.—(1) A candidate declared elected is entitled to sit on the council, school board or local board notwithstanding that a request or application for a recount has been filed or a resolution for a recount has been passed, but where the recount determines that some other person was elected, that other person is, notwithstanding that an appeal is pending, entitled to sit and vote until the appeal is disposed of.

Decisions
not affected

(2) A decision of a council, school board or local board reached with the participation of a member who is subsequently declared not to be entitled to sit on the council, school board or local board is not affected by that participation.

APPEAL FROM DECISION OF JUDGE OR RECOUNT OFFICER

Appeal from
decision of
judge or
recount
officer

88j.—(1) Any party may appeal to the Divisional Court from the decision of the judge on the application or of the recount officer on the recount, as the case may be, by giving written notice not more than five days following the completion of the hearing or the recount to the other parties concerned and to the judge or the recount officer and the notice may limit the appeal to specified disputed ballots.

Service
of notice

(2) The notice shall be served upon the other parties personally or upon the solicitor who acted for the party or in the manner that the judge of the Divisional Court may direct.

Documents
to be
forwarded

(3) The judge or recount officer shall forward to the Registrar of the Supreme Court by registered mail,

- (a) the notice of appeal;
- (b) a certificate showing the findings of the judge or recount officer on the ballots or statements in dispute;
- (c) if the appeal is limited to specified disputed ballots, the ballots or statements of the vote that are the

subject of the appeal in the envelopes described in subsection 88c (7) and section 88d; and

- (d) if the appeal is not limited, all of the ballots, in the envelopes referred to in clause 88c (8) (b) or 88e (1) (b).

(4) The judge or recount officer shall await the result of the appeal before preparing the certificate under subsection 88c (9) or 88e (2). Certificate to be issued after appeal

(5) The judge or recount officer shall, upon request, allow each party to make a copy of the order or certificate, as the case may be, before it is forwarded to the Registrar. Copy of certificate

(6) On receipt of the ballots, notice and statement, the Registrar shall immediately obtain an appointment from the Divisional Court for hearing the appeal and shall notify the parties or their solicitors of the time so appointed. Appointment for hearing

(7) One judge of the Divisional Court shall determine the objection pertaining to, or count again, the ballots or such of them as are the subject of appeal, or review the re-addition, as the case may be, and shall immediately certify in writing the decision of the court to the judge of the District Court or to the recount officer. Determination by Divisional Court

(8) The judge or recount officer, in compliance with the decision of the Divisional Court, shall certify the result without delay. Certificate to reflect decision

10. Subsection 103 (2) of the said Act is repealed.

11. Section 121 of the said Act, as re-enacted by the Statutes of Ontario, 1982, chapter 37, section 25 and amended by 1985, chapter 4, section 10, is repealed.

12. The said Act is further amended by adding thereto the following Parts:

PART II

121.—(1) In this Part,

Definitions

“campaign expense” means an expense incurred for goods or services in relation to an election by or on behalf of a registered candidate for use in whole or in part for the purpose of the election of the registered candidate at the next election including the value of goods held in inventory, fees or expenses for services for any registered candidate and con-

tributions of goods and services to the registered candidate, but does not include,

- (a) audit and accounting fees,
- (b) interest on loans under section 127,
- (c) an expense incurred in holding a fund-raising function referred to in section 126,
- (d) an expense incurred for victory parties held and appreciation notices published after polling day,
- (e) an expense relating to a recount in respect of the election, and
- (f) an expense relating to an action commenced under section 106;

“campaign period” means the period commencing on,

- (a) in the case of a regular election, the 1st day of January of an election year, or
- (b) in the case of a new election, the day on which,
 - (i) an order to hold a new election is given in any judicial proceedings,
 - (ii) the council of the municipality passes a by-law to hold a new election,
 - (iii) the clerk receives from the secretary of a school board notice that a new election is required, or
 - (iv) an order to hold a new election is given by the Minister under the *Municipal Act*,

R.S.O. 1980,
c. 302

and ending,

- (c) in the case of a regular election, on the 31st day of March in the year following the election year, or
- (d) in the case of a new election, 135 days after polling day;

“contribution” means a contribution made to a registered candidate or representative of a registered candidate for pur-

poses of the election of the registered candidate at the next election, but does not include,

- (a) any goods produced for a registered candidate by voluntary unpaid labour, and
- (b) any service voluntarily performed for a registered candidate by an individual if the individual does not receive from any person or trade union, under an arrangement with the individual's employer, compensation in excess of what the individual would normally receive during the period the service was performed;

"municipality" means a city, town, village, police village, township, regional municipality or metropolitan municipality;

"registered candidate" means a candidate registered under section 122;

"trade union" means a trade union as defined in the *Labour Relations Act* or the *Canada Labour Code* that holds bargaining rights for employees in Ontario to whom those Acts apply and includes any central, regional or district labour council in Ontario.

R.S.O. 1980,
c. 227
R.S.C. 1970,
c. L-1

(2) Where a corporation is associated with another corporation under section 256 of the *Income Tax Act* (Canada) and where one or both of those associated corporations does not or do not carry on an active business as that expression is defined in paragraph 125 (6) (d) of the *Income Tax Act* (Canada), the two associated corporations shall be considered as a single corporation for the purposes of this Part.

Associated
corporations
R.S.C. 1952,
c. 148

REGISTRATION

122.—(1) Every person who proposes to be a candidate shall, no earlier than the 1st day of January of the election year and no later than nomination day, file with the clerk of the municipality who is responsible for the conduct of the election a notice of registration in the prescribed form.

Registration
of candidate

(2) In the case of a new election, the notice of registration referred to in subsection (1) shall be filed with the clerk no earlier than the day on which,

Registration
in new
elections

- (a) an order to hold a new election is given in any judicial proceedings;

- (b) the council of the municipality passes a by-law to hold a new election;
- (c) the clerk receives from the secretary of the school board notice that a new election is required; or
- (d) an order to hold a new election is given by the Minister under the *Municipal Act*,

R.S.O. 1980,
c. 302

and no later than nomination day.

When
candidate
registered

(3) A person who files a notice of registration under subsection (1) becomes a registered candidate on the day of filing.

No contri-
butions to
unregistered
candidate

(4) No person and no individual, corporation or trade union acting on behalf of any person shall solicit or accept contributions for the purposes of the election of that person at the next election at any time unless the person is a registered candidate.

Register

(5) The clerk shall keep a register of every person who has filed a notice of registration under subsection (1) setting out,

- (a) the date that the registered candidate is duly nominated under section 36;
- (b) the name of the municipality in which the election is to be held or which is responsible for the conduct of the election;
- (c) the full name and address of the registered candidate;
- (d) the address of the place or places in the municipality or locality where records of the registered candidate are maintained and of the place in the municipality or locality to which communications may be addressed;
- (e) the full names and addresses of the auditor and the chief financial officer, if any, of the registered candidate;
- (f) the full names and addresses of all persons authorized by the registered candidate to accept contributions;
- (g) the name and address of every chartered bank, trust company or other financial institution in Ontario

that is used by or on behalf of the registered candidate for the deposit of any contributions;

- (h) the full names and addresses of the persons, if any, responsible for making the deposits referred to in clause (g); and
- (i) the date of registration.

(6) A notice of registration under subsection (1) may be filed with the clerk by registered mail in which case it shall be deemed to be filed on the day it is mailed.

Effective date of registration

(7) The campaign period with respect to a registered candidate shall be deemed to expire,

Where registered candidate withdraws, etc.

- (a) where the nomination is withdrawn, on the day of the withdrawal;
- (b) where a nomination paper is not filed or the nomination is rejected by the clerk, on nomination day;
- (c) where the election is by acclamation, on the day of acclamation; and
- (d) where the registered candidate dies, on the day of death,

and the registered candidate or the chief financial officer shall file with the clerk the statement referred to in section 132.

(8) If the information referred to in subsection (5) is altered, the registered candidate shall immediately notify the clerk in writing of the alteration and, upon receipt of the notice, the clerk shall vary the register accordingly.

Variation of register

CHIEF FINANCIAL OFFICERS

123.—(1) Every person who proposes to be a candidate may appoint a chief financial officer before or after filing the notice of registration with the clerk.

Chief financial officer

(2) If the chief financial officer ceases to hold office, the registered candidate shall immediately appoint another chief financial officer and shall immediately give notice in writing to the clerk of the full name and address of the new chief financial officer.

Replacement

(3) The chief financial officer shall be responsible for ensuring that,

Duties of chief financial officer

- (a) proper records are kept of all receipts and expenses;
- (b) contributions are placed in the appropriate accounts;
- (c) proper receipts are completed;
- (d) the financial statements required under section 132 and the auditor's report on the statements are filed with the clerk;
- (e) contributions consisting of goods or services are valued and recorded; and
- (f) proper direction is given to persons authorized to incur expenses.

Where
no chief
financial
officer

(4) If a registered candidate has not appointed a chief financial officer, the registered candidate is responsible for the duties set out in subsection (3).

CONTRIBUTIONS

Contributions

124. —(1) Contributions to registered candidates may be made only by individuals, corporations and trade unions and may be made only during the campaign period.

Contributions
to be made
in campaign
period

(2) No registered candidate and no individual, corporation or trade union acting on behalf of the registered candidate shall solicit or accept contributions at any time other than during the campaign period.

How contri-
butions of
money to be
made

(3) Money contributions to registered candidates in amounts in excess of \$25 shall only be made by,

- (a) a cheque having the name of the contributor legibly printed on it and drawn on an account in the contributor's name;
- (b) a money order signed by the contributor; or
- (c) in the case of money contributions by an individual, the use of a credit card having the name of the individual contributor imprinted or embossed on it.

Deposit of
funds

(4) All moneys accepted by or on behalf of a registered candidate shall be paid into an account registered with the clerk under subsection 122 (5).

(5) If the registered candidate or the chief financial officer learns that any contribution received by or on behalf of the registered candidate was made or received in contravention of this Part, the registered candidate or the chief financial officer shall, within thirty days after so learning and upon obtaining the contributor's copy of the receipt issued under section 125 in respect of that contribution, return the contribution or an amount equal to the sum contributed.

Refund of contributions

(6) Any contributions not returned to the contributor under subsection (5) or any anonymous contribution received by a registered candidate shall not be used or spent, but shall be paid over to the clerk and become part of the general funds of the municipality.

Anonymous contributions payable to municipality

(7) No individual, corporation or trade union shall make a contribution in money, goods and services to any registered candidate which in total exceeds \$750 in value during any campaign period.

Limitation on contributions

(8) Any moneys used for an election campaign by a registered candidate out of the registered candidate's own funds or those of the spouse of the registered candidate shall be considered to be a contribution for the purposes of this section, but the limit on the total amount of contributions established under subsection (7) does not apply in respect of those funds.

Registered candidate's funds, spouses's funds

(9) Every registered candidate shall submit to the clerk at the same time as the financial statement is filed under section 132, a statement in writing setting out campaign expenses paid or to be paid out of the registered candidate's own funds or those of the spouse of the registered candidate, together with all receipts and claims for those expenses.

Statement to be submitted to clerk

125.—(1) No individual, corporation or trade union shall contribute to any registered candidate funds not actually belonging to that individual, corporation or trade union.

Contributor to contribute only funds belonging to contributor

(2) Subsection (1) does not apply to the personal representative of the estate of a person who has died leaving a will where the deceased person has directed in the will that the personal representative make a contribution to a named registered candidate out of the funds of the estate.

Exception

(3) No registered candidate and no individual, corporation or trade union on behalf of the registered candidate shall solicit or accept any contribution contrary to subsection (1).

Prohibition

(4) No registered candidate shall accept funds from,

No funds from political parties, etc.

1973-74,
c. 14 (Can.)

(a) a federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate at a federal election endorsed by such federal political party; or

(b) a provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act, 1986*.

1986, c. 33

Receipts

(5) A registered candidate shall issue receipts for every contribution accepted.

Group contri-
butions

(6) A contribution to a registered candidate made through an unincorporated association, except a trade union, shall be recorded by the unincorporated association as to the individual sources and the amounts making up the contribution.

Application
to amounts
making up
contribution

(7) The amounts making up a contribution under subsection (6) that are attributable to an individual, corporation or trade union are contributions of that individual, corporation or trade union for the purposes of subsection 124 (7).

Receipt of
excess contri-
butions
prohibited

(8) No registered candidate and no individual, corporation or trade union acting on behalf of the registered candidate shall solicit or accept any contributions in excess of the limits imposed under subsection 124 (7).

Restriction
on contri-
butions

(9) No registered candidate shall directly or indirectly solicit or accept contributions from,

(a) an individual normally resident outside Ontario;

(b) a corporation that does not carry on business in Ontario; or

(c) a trade union other than a trade union as defined in this Part.

Trade
unions,
contributions

(10) Contributions of not more than 15 cents per month by a member of a bargaining unit represented by a trade union through payroll deductions shall not be considered contributions from an individual for the purpose of section 124 and this section, but any amount contributed to a registered candidate shall be deemed to be a contribution from the trade union.

Record of
contributions
to be kept

(11) Every registered candidate shall keep a record of all contributions in excess of \$25 or having a value in excess of \$25, whether in the form of money, goods or services, and in the case of a single contribution in excess of \$100, or contribu-

tions from a single source that in the aggregate exceed \$100, the name and address of the contributor.

126.—(1) In this section, “fund-raising function” means Definition
events or activities held for the purpose of raising funds for the registered candidate by whom or on whose behalf the function is held.

(2) A fund-raising function held by or on behalf of a registered candidate shall be held only during the campaign period. When fund-raising functions to be held

(3) The gross income from a fund-raising function shall be recorded and reported to the clerk by the registered candidate or the chief financial officer. Income to be reported

(4) If a charge is made for a fund-raising function by the sale of tickets or otherwise, any portion of this charge, up to a maximum of \$25, may, at the option of the registered candidate, be considered not to be a contribution. Where charge may be considered not a contribution

(5) Any amount paid for goods or services offered for sale at a fund-raising function in excess of current market value shall be considered a contribution. Where amounts to be considered contributions

(6) If a meeting is held on behalf of or in relation to the affairs of a registered candidate and money is given in response to a general collection of money solicited from the persons in attendance at the meeting, no amount shall be given anonymously by any person in excess of \$10 and the amounts so given shall be considered not to be contributions, but the gross amount collected shall be recorded and reported to the clerk by the registered candidate or the chief financial officer. Collection of money at meetings

BORROWING

127.—(1) A registered candidate may borrow from any chartered bank or other recognized lending institution in Ontario, if the loan and its terms, including the name of any guarantor of a loan, are recorded by the registered candidate and reported to the clerk in the financial statement filed under subsection 132 (1). Borrowing

(2) No registered candidate shall receive a loan from any individual, corporation, trade union or unincorporated association, other than from a chartered bank or other recognized lending institution as set out in subsection (1). Limitation

LOAN GUARANTEE

Guarantee
of loan to
registered
candidates
prohibited

128.—(1) Subject to subsection (2), no individual, corporation, trade union or unincorporated association shall sign, co-sign or provide collateral security for any loan, monetary obligation or indebtedness for or on behalf of any registered candidate.

Exception

(2) An individual, corporation or trade union that is eligible to make a contribution may guarantee any loan referred to in subsection 127 (1).

Guarantee as
contribution

(3) A guarantee or a payment made by a guarantor in respect of a loan referred to in subsection 127 (1) is considered to be a contribution under section 124.

CAMPAIGN EXPENSES

Authority
to incur
campaign
expenses

129.—(1) The campaign expenses of a registered candidate shall be incurred only under the direction of the registered candidate by persons authorized by the registered candidate.

Certificate
of authority

(2) Every person authorized to incur a campaign expense shall, upon request, show a certificate, in the prescribed form, signed by the registered candidate as proof of the authority.

Record of
campaign
expenses

(3) Every registered candidate shall keep a record of all campaign expenses.

Limitation
on campaign
expenses

(4) The total campaign expenses incurred by a registered candidate in an election for the office of head of council of a municipality and any individual, corporation, trade union or unincorporated association acting on behalf of that registered candidate during the period commencing with the date of registration and ending on polling day shall not exceed the aggregate amount of \$5,500 plus \$0.50 per elector.

Idem

(5) Subject to subsection (6), the total campaign expenses incurred by a registered candidate in an election for the office of,

- (a) member of council, other than head of council, of a municipality;
- (b) member of council of a regional municipality if this office is required to be filled by the vote of the electors of an area municipality; or

- (c) member of a school board or of a local board whose members are to be elected at elections required to be conducted by the same officers and in the same manner as elections of members of the council of a municipality,

and any individual, corporation, trade union or unincorporated association acting on behalf of the registered candidate during the period commencing with the date of registration and ending on polling day in the election shall not exceed the amount of \$3,500 plus \$0.50 per elector.

(6) If the municipality or the school board or local board jurisdiction is divided into wards and the election is for an office to represent the electors of one or more of the wards, the number of electors to be used in the calculation of the maximum amount of total campaign expenses that may be incurred by a registered candidate for the office shall be the total number of electors in the ward or wards, as the case may be.

Limitation on campaign expenses, ward elections

(7) For the purpose of this section, the number of electors in a municipality or a school board or local board jurisdiction or a ward of the municipality or the school board or local board jurisdiction shall be determined by the clerk on the basis of information obtained from the polling list.

Determination of number of electors by returning officer

(8) After determining the number of electors under subsection (7), the clerk shall calculate, for each office, the maximum amount of campaign expenses that may be incurred by a registered candidate under subsection (4), (5) or (6), as applicable, certify this amount in the prescribed form and, no later than ten days after nomination day, deliver or send by registered mail a copy of the certificate to each registered candidate for the office.

Calculation and certification of maximum campaign expenses by returning officer, etc.

(9) Certification of the maximum amount of total campaign expenses that may be incurred by a registered candidate for the office by the clerk under subsection (8) shall be conclusive evidence of that fact and shall not be open to challenge.

Certificate conclusive

130.—(1) Every individual, corporation or trade union that has any claim for payment in relation to a campaign expense shall submit the claim after polling day to the registered candidate who incurred the expense,

Time for submission of claims for payment

- (a) in the case of a regular election, no later than the 31st day of March in the year following the election year; or

- (b) in the case of a new election, no later than 135 days after polling day.

Payment of
expenses by
registered
candidate

(2) Every payment of a campaign expense shall be made by the registered candidate or the chief financial officer who incurred or on whose behalf the campaign expense was incurred and, except where the campaign expense is less than \$25, a receipt shall be obtained setting out the particulars and proof of payment.

Method of
payment

(3) Payment of any campaign expense shall be made by cheque drawn on an account registered with the clerk under subsection 122 (5).

Disputed
claims

(4) If the registered candidate disputes or refuses to pay any claim for payment in relation to a campaign expense, that claim shall be considered to be a disputed claim.

AUDITORS

Appointment
of auditor

R.S.O. 1980,
c. 405

131.—(1) If contributions received by a registered candidate exceed \$10,000 or expenses incurred by the registered candidate exceed \$10,000 during the campaign period, the registered candidate shall appoint an auditor licensed under the *Public Accountancy Act* and shall immediately inform the clerk of the full name and address of the auditor.

Report of
auditor

(2) The auditor shall make a report to the registered candidate or the chief financial officer of the registered candidate who appointed the auditor in respect of the financial statements, as required by section 132, and shall make such examination of the financial statements and supporting documentation as is necessary to enable the auditor to report on them in accordance with generally accepted auditing standards.

Change of
auditors

R.S.O. 1980,
c. 405

(3) If an auditor appointed under subsection (1) ceases to hold office, ceases to be qualified under subsection (1) or becomes ineligible under subsection (4), the candidate shall immediately appoint another auditor licensed under the *Public Accountancy Act* and shall immediately notify the clerk of the full name and address of the auditor.

Persons not
eligible to be
auditors

(4) No election official and no registered candidate or chief financial officer of a registered candidate shall act as the auditor for the candidate, but nothing in this subsection makes ineligible the partners with whom or the firm with which this person is associated from acting as an auditor for the registered candidate.

Report of
auditor

(5) If,

- (a) the auditor has not received from the registered candidate or the chief financial officer all the information and explanation that is required to make the report; or
- (b) proper accounting records have not been kept by the registered candidate or the chief financial officer,

the auditor shall make a statement to that effect in the report made under subsection (2).

(6) An auditor appointed under subsection (1) shall have access at all reasonable times to the records, documents, books, accounts and vouchers of the registered candidate.

Right of
access

(7) The registered candidate or the chief financial officer shall provide such information and explanation as is necessary to enable the auditor to make the report under subsection (2).

Co-operation
required

STATEMENTS, REPORTS AND STATUTORY DECLARATIONS

132.—(1) Subject to subsections (3) and (4), every registered candidate shall file with the clerk who was the returning officer in the election a financial statement and auditor's report in the prescribed form which shall contain,

Filing of
financial
statement

- (a) all income received and expenses incurred in the campaign period;
- (b) a list of contributions in the form of goods or services and the value of them received by or on behalf of the registered candidate during the campaign period;
- (c) the name, address and contribution of each individual, corporation or trade union that made a contribution, whether in the form of money, goods or services, if the contribution was more than \$100; and
- (d) a list of campaign expenses, paid and outstanding, incurred in a campaign period and a statement of disputed claims.

(2) The financial statement and auditor's report under subsection (1) shall be filed,

Idem

- (a) in the case of a regular election, no later than the 30th day of June in the year following the election year; or
- (b) in the case of a new election, no later than 225 days after polling day.

Where report
sufficient?

(3) If the contributions received by or on behalf of a registered candidate do not exceed \$10,000 or expenses incurred by or on behalf of the registered candidate do not exceed \$10,000, the registered candidate may, instead of filing the financial statement required under subsection (1), file a report in the prescribed form containing the information required in subsection (1).

Where
statement,
report or
statement

(4) If the contributions received by or on behalf of a registered candidate do not exceed \$1,000 and expenses incurred by or on behalf of such registered candidate do not exceed \$1,000, the registered candidate may, instead of filing the financial statement required under subsection (1), file a statutory declaration in the prescribed form to that effect.

Clerk
to prepare
statement

(5) After the time for the filing of a statement, report or declaration under subsection (1), (3) or (4) has expired, the clerk shall immediately prepare a statement in the prescribed form disclosing,

- (a) the information received under this section; and
- (b) the name of the registered candidate, if any, who failed to file a statement, report or declaration under this section,

and submit the statement to the council of the municipality, school board or local board, as the case may be.

Demand
to candidate
to file

(6) After the time prescribed for making full disclosure under subsection (1) has expired, the clerk shall immediately send by registered mail or deliver to a registered candidate who has failed to file a statement, report or declaration, a notice in the prescribed form demanding that the registered candidate file a statement, report or declaration within thirty days from the date of the notice.

Contents
of demand
notice

(7) The notice under subsection (6) shall state that the registered candidate, if elected, shall forfeit the office and that the registered candidate, whether elected or not elected, shall be ineligible to hold any office up to and including the next regular election if the registered candidate fails to file the

statement, report or declaration within thirty days of the date of the notice.

(8) The clerk shall post a notice of non-compliance in the prescribed form in two conspicuous places in the municipality and, where there is a newspaper having general circulation in the municipality, by publishing the notice in such newspaper.

Publishing
notice of
non-com-
pliance

(9) After the thirty day period for the filing of a statement, report or declaration has expired, the clerk shall immediately prepare a supplementary statement in the prescribed form disclosing,

Clerk
to prepare
supple-
mentary
statement

- (a) any additional information received under this section; and
- (b) the name of the registered candidate, if any, who failed to file a statement, report or declaration under this section, within the thirty day period allowed by subsection (6),

and submit the statement to the council of the municipality, school board or local board, as the case may be.

133.—(1) If a registered candidate,

Ineligibility
respecting
future
elections

- (a) fails to file a financial statement, a report or statutory declaration as required by section 132 within thirty days of the date of the notice sent under subsection 132 (6);
- (b) files a financial statement, a report or statutory declaration as required by section 132 that is either incorrect or does not comply with section 132 and fails to file a correction statement, report or declaration, as the case may be, within thirty days from the date that the clerk files the statement under subsection 132 (5); or
- (c) incurs campaign expenses in excess of the amount permitted under section 129,

the registered candidate, in addition to any other penalty, is ineligible to be elected a member of the council, school board or local board or to hold office as a member thereof or to hold any other office in the municipality up to and including the next regular election.

(2) If a registered candidate who is declared elected, fails to file the documents referred to in clause (1) (a) or (b) or has

Forfeiture
of office

exceeded the amount referred to in clause (1) (c), the clerk shall within five days of the default notify in writing the registered candidate and the council, school board or local board, as the case may be, to which the registered candidate was elected and the office to which the registered candidate was elected shall be deemed vacant and the registered candidate shall forfeit the office.

Ineligibility
respecting
future
elections

(3) If the office to which a registered candidate was elected subsequently becomes vacant and the registered candidate has forfeited the office under subsection (2), the registered candidate, in addition to any other penalty, is ineligible to be elected a member of the council, school board or local board or to hold office as a member thereof or to hold any other office in the municipality up to and including the next regular election.

ACCESS TO DOCUMENTS

Inspection of
documents

134.—(1) Documents, financial statements, reports and declarations filed with the clerk under this Part are public records and may be inspected by any person upon request at the office of the clerk during normal office hours.

Extracts and
copies

(2) Any person may make extracts from the statements, reports or declarations referred to in subsection (1) and is entitled to copies thereof upon payment for the preparation of the copies at such rate as the clerk charges for the preparation of copies of other documents.

Not to be
used for
commercial
solicitation

(3) No individual, corporation or trade union shall use any of the information contained in any document filed with the clerk under this Part for the purposes of commercial solicitation.

Section
applicable to
certain
statements

(4) This section applies to a statement prepared by the clerk that is required to be submitted to the council of the municipality, the school board or local board under subsection 132 (5) or (9).

OFFENCES

Offence by
corporation
or trade
union

135.—(1) A corporation or trade union that contravenes any of sections 122 to 134 is guilty of an offence and on conviction is liable to a fine of not more than \$10,000.

Offence

(2) An individual who contravenes any of sections 122 to 134, except subsection 124 (7), is guilty of an offence and on conviction is liable to a fine of not more than \$1,000.

(3) If the total campaign expenses incurred by a registered candidate or any individual, corporation or trade union acting on behalf of the candidate during the campaign period exceeds the amount determined under section 129 for the office subject to election, the candidate, in addition to the fine set out in subsection (2), is liable to a fine equal to the amount by which the total campaign expenses of the candidate exceeded the amount determined under section 129.

Additional penalty

136. No prosecution shall be instituted for a contravention of any of sections 122 to 134 more than one year after the facts upon which the prosecution is based first came to the knowledge of the informant.

One year limitation

137.—(1) No person shall obstruct a person making an investigation or examination under this Act or withhold or conceal or destroy any books, papers, documents or things relevant to the subject-matter of the investigation or examination.

Obstructing investigation, etc.

(2) No person shall knowingly make a false statement in any application, return, financial statement or other document filed with the clerk under section 132 or 133.

False statements

PART III

138.—(1) In this Part,

Definitions

“broadcasting undertaking” means a broadcasting undertaking as defined in section 2 of the *Broadcasting Act* (Canada);

R.S.C. 1970, c. B-11

“campaign expense” means an expense incurred for goods or services in relation to an election by or on behalf of a registered candidate for use in whole or in part for the purpose of the election of the registered candidate at the next election including the value of goods held in inventory, fees or expenses for services for any registered candidate and contributions of goods and services to the registered candidate but not including,

- (a) auditor’s and accounting fees,
- (b) interest on loans authorized under section 162,
- (c) an expense incurred in holding a fund-raising function referred to in section 153,
- (d) an expense incurred for victory parties and appreciation notices published after polling day,

- (e) an expense relating to a recount in respect of the election,
- (f) an expense relating to an action commenced under section 106, and
- (g) other expenses not of partisan value that are set out in guidelines provided by the Commission;

“campaign period” means the period commencing on,

- (a) in the case of a regular election, the 1st day of January of an election year, or
- (b) in the case of a new election, the day on which,
 - (i) an order to hold a new election is given in any judicial proceedings,
 - (ii) the council of the municipality passes a by-law to hold a new election,
 - (iii) the clerk receives from the secretary of a school board notice that a new election is required, or
 - (iv) an order to hold a new election is given by the Minister under the *Municipal Act*,

R.S.O. 1980,
c. 302

and ending,

- (c) in the case of a regular election, on the 31st day of March in the year following the election year, or
- (d) in the case of a new election, 135 days after polling day;

1986, c. 33

“Commission” means the Commission on Election Finances established by the *Election Finances Act, 1986*;

“contribution” means a contribution made to a representative of a registered candidate but does not include,

- (a) any goods produced for a registered candidate by voluntary unpaid labour,
- (b) any service voluntarily performed for a candidate by an individual if the individual does not receive from any person or trade union, under an arrangement with the individual’s employer, compensation in

excess of what the individual would receive during the period the service was performed, and

- (c) any moneys, goods or services solicited by or donated to a registered candidate for purposes other than those set out in subsection 143 (3);

“municipality” means a city, town, village, police village, township, regional municipality or metropolitan municipality;

“news reporting done in good faith” means interviews, commentaries or other works prepared for and published by any newspaper, magazine or other periodical publication or broadcast on the facilities of any broadcasting undertaking without charge to any candidate registered under this Part;

“outdoor advertising facilities” means outdoor facilities provided by any person that is in the business of providing these facilities on a commercial basis for advertising purposes but does not include radio, television, newspaper, magazine or other periodical publications;

“registered candidate” means a candidate registered under section 143;

“trade union” has the same meaning as in Part II.

(2) Where a corporation is associated with another corporation under section 256 of the *Income Tax Act* (Canada) and where one or both of those associated corporations does not or do not carry on an active business as that expression is defined in paragraph 125 (6) (d) of the *Income Tax Act* (Canada), the two associated corporations shall be considered as a single corporation for the purposes of this Part.

Associated corporations
R.S.C. 1952,
c. 148

APPLICATION

139.—(1) Notwithstanding Part II, the council of a municipality may pass a by-law to have this Part apply to elections for the office of member of council including the head of the council of the municipality.

Council may
by by-law
adopt this
Part

(2) If a by-law is passed under subsection (1), this Part applies to the election of members of council.

Application
of Part

(3) Where the council of a regional municipality or metropolitan municipality passes a by-law under subsection (1), the clerk of the regional or metropolitan municipality shall send a copy of the by-law to the Commission and to the clerk of any

By-laws to
be sent to
Commission
and clerk

area municipality who is responsible for the conduct of any election to the council of the regional or metropolitan municipality.

By-laws to
be sent to
Commission

(4) Where the council of a municipality, other than a regional or metropolitan municipality, passes a by-law under subsection (1), the clerk of the municipality shall send a copy of the by-law to the Commission.

School board
may adopt
this Part

140.—(1) Notwithstanding Part II, where members of a school board are to be elected at elections to be conducted by the same officers and in the same manner as elections of members of the council of a municipality, the school board may pass a resolution to have this Part apply to elections of members of the board.

Application
of Part

(2) If a resolution is passed under subsection (1), this Part applies to elections of members of the board.

Resolution of
school board
to be sent to
Commission
and clerk

(3) Where a school board passes a resolution under subsection (1), the secretary of the board shall send a copy of the resolution to the Commission and to the clerk of the municipality who is responsible for the conduct of the elections of the board.

Local board
may adopt
this Part

141.—(1) Notwithstanding Part II, where members of a local board are to be elected at elections to be conducted by the same officers and in the same manner as elections of members of the council of a municipality, the local board may pass a resolution to have this Part apply to elections of members of the board.

Application
of Part

(2) If a resolution is passed under subsection (1), this Part applies to elections of the board.

Resolution of
local board
to be sent to
Commission
and clerk

(3) Where a local board passes a resolution under subsection (1), the secretary of the local board shall send a copy of the resolution to the Commission and to the clerk of the municipality who is responsible for the conduct of the elections of the board.

When by-
laws or
resolution to
be passed or
repealed

142. A by-law under section 139 or a resolution under section 140 or 141 shall be passed prior to the 1st day of January of an election year and, once passed, shall remain in force until repealed by a by-law of the council of the municipality or by a resolution of the school board or the local board, as the case may be, but no such repealing by-law or resolution shall be passed or take effect in an election year.

REGISTRATION

143.—(1) Where the council of a municipality passes a by-law under section 139 or a school board or local board passes a resolution under section 140 or 141, every person seeking election to office on the council, school board or local board, as the case may be, shall, no earlier than the 1st day of January of the election year and no later than nomination day, file with the Commission an application for registration under this Part.

Application
for
registration
as candidate

(2) In the case of a new election, the application for registration referred to in subsection (1) shall be filed with the Commission no earlier than the day on which,

Application,
new elections

- (a) an order to hold a new election is given in any judicial proceedings;
- (b) the council of the municipality passes a by-law to hold a new election;
- (c) the clerk receives from the secretary of a school board notice that a new election is required; or
- (d) an order to hold a new election is given by the Minister under the *Municipal Act*,

R.S.O. 1980,
c. 302

and not later than nomination day.

(3) No person and no individual, corporation or trade union acting on behalf of any person shall solicit or accept contributions for the purposes of the election of that person at the next election at any time unless the person is a registered candidate.

No contri-
butions to
unregistered
candidate

(4) The Commission shall maintain a register of candidates in relation to each election and shall register in it any candidate who files an application for registration with the Commission setting out,

Register

- (a) that the person,
 - (i) has been duly nominated for election to office in accordance with this Act and whose nomination is certified by the clerk, or
 - (ii) has not been so nominated but proposes to become so;

- (b) the name of the office for which the candidate has been or proposes to be nominated;
- (c) the name of the municipality in which the election is to be held or which is responsible for the conduct of the election;
- (d) the full name and address of the registered candidate;
- (e) the address of the place or places in the municipality or locality where records of the registered candidate are maintained and of the place in the municipality or locality to which communications may be addressed;
- (f) the full names and addresses of the auditor and the chief financial officer of the registered candidate;
- (g) the full name and addresses of all persons authorized by the registered candidate to accept contributions;
- (h) the name and address of every chartered bank, trust company or other financial institution in Ontario that is used by or on behalf of the registered candidate for the deposit of any contributions;
- (i) the full names and addresses of the persons responsible for making the deposits referred to in clause (h).

Effective
date of
registration

(5) A registered candidate who files an application under subsection (4) shall be deemed to be registered on the day of filing.

Idem

(6) An application under subsection (4) may be filed with the Commission by registered mail in which case it shall be deemed to be filed on the day it is mailed.

Where
registered
candidate
withdraws,
etc.

(7) The campaign period with respect to a registered candidate shall be deemed to expire,

- (a) where the nomination is withdrawn, on the day of the withdrawal;
- (b) where a nomination paper is not filed or the nomination is rejected by the clerk, on nomination day;

- (c) where the election is by acclamation, on the day of acclamation; and
- (d) where the registered candidate dies, on the day of death,

and the chief financial officer for that registered candidate shall file with the Commission the statement referred to in section 169 and at the same time file a copy of it with the clerk.

(8) If the information referred to in clauses (4) (d) to (i) is altered, the candidate shall immediately notify the Commission in writing of the alteration, and, upon receipt of the notice, the Commission shall vary the register accordingly.

Variation of register

144.—(1) After registering a candidate under subsection 143 (4), the Commission shall notify in writing the clerk of the municipality who is responsible for the conduct of the election and indicate to the clerk,

Notification by Commission to clerk

- (a) the full name and address of the registered candidate; and
- (b) the name of the office for which the registered candidate has been, or will be nominated.

(2) The clerk shall maintain a list of all registered candidates and the office for which the registered candidate has been, or will be, nominated.

Clerk to maintain list of candidates

(3) Where the full name and address of a registered candidate is varied by the Commission under subsection 143 (8), the Commission shall immediately notify the clerk in writing of the variation, and, upon receipt of the notice, the clerk shall vary the list of registered candidates accordingly.

Notification of changes

CHIEF FINANCIAL OFFICERS

145.—(1) Every person who is applying for registration under this Part, before filing an application with the Commission, shall appoint a chief financial officer.

Chief financial officer

(2) Where the chief financial officer ceases to hold office, the registered candidate shall immediately appoint another chief financial officer and shall immediately give notice in writing to the Commission of the full name and address of the new chief financial officer.

Replacement

Duties
of chief
financial
officer

(3) The chief financial officer shall be responsible for ensuring that,

- (a) proper records are kept of all receipts and expenses;
- (b) contributions are placed in a depository on record with the Commission;
- (c) proper receipts are completed and dealt with in accordance with this Part;
- (d) the financial statements as required by section 169 together with the auditor's report on those statements, are filed with the Commission in accordance with this Part;
- (e) contributions consisting of goods or services are valued and recorded in accordance with this Part; and
- (f) proper direction is given to persons authorized to incur expenses.

CONTRIBUTIONS

Contributions

146.—(1) Contributions to registered candidates may be made by individuals, corporations and trade unions only during the campaign period.

How contribu-
tions of
money to
be made

(2) Money contributions to registered candidates in amounts in excess of \$25 shall be made only by,

- (a) a cheque having the name of the contributor legibly printed or typed on it and drawn on an account in the contributor's name;
- (b) a money order signed by the contributor; or
- (c) in the case of money contributions by an individual, the use of a credit card having the name of the individual contributor imprinted or embossed on it.

Deposit
of funds

(3) All moneys accepted by or on behalf of a registered candidate shall be paid into an account on record with the Commission.

Refund of
contributions

147.—(1) If the chief financial officer learns that any contribution received by or on behalf of the registered candidate was made or received in contravention of this Part, the chief financial officer shall, within thirty days after so learning and

upon obtaining the contributor's copy of the receipt issued under section 155 in respect of that contribution, return the contribution or an amount equal to the sum contributed.

(2) Any contributions not returned to the contributor in accordance with subsection (1) or any anonymous contribution received by a registered candidate shall not be used or spent, but shall be paid over to the Commission and become part of the general funds of the Commission to be used by the Commission in carrying out its responsibilities under this or any other Act.

Anonymous
contributions

148.—(1) No individual, corporation or trade union shall make a contribution in money, goods and services to a registered candidate which in total exceeds \$750 in value during any campaign period.

Limitation on
contributions

(2) Any moneys used for an election campaign by a registered candidate out of the candidate's own funds or those of the spouse of the registered candidate shall be considered to be a contribution for the purposes of this Part, but the limit on the total amount or value of contributions established under subsection (1) does not apply in respect of those funds.

Registered
candidate's
funds,
spouse's
funds

(3) Every registered candidate shall submit to the chief financial officer a statement in writing setting out all campaign expenses paid or to be paid out of the registered candidate's own funds or those of the spouse of the candidate, together with all receipts and claims for those expenses, within six months after polling day.

Statement to
be submitted

149.—(1) Subject to section 159, no individual, corporation or trade union shall contribute to any registered candidate funds not actually belonging to the individual, corporation or trade union.

Contributor
to contribute
only funds
belonging to
contributors

(2) Subsection (1) does not apply to the personal representative of the estate of a person who has died leaving a will where the deceased person has directed in the will that the personal representative make a contribution to a named registered candidate out of the funds of the estate.

Exception

(3) No registered candidate and no individual, corporation or trade union on behalf of the candidate, shall solicit or accept any contribution contrary to subsection (1).

Prohibition

150. No registered candidate shall accept funds from,

No funds
from political
parties, etc.
1973-74,
c. 14 (Can.)

- (a) a federal political party registered under the *Canada Elections Act* or any federal constituency association

or candidate at a federal election endorsed by such federal political party;

- (b) a provincial political party, constituency association, candidate or leadership contestant registered under the *Election Finances Act, 1986*.

1986, c. 33

Determina-
tion of
value of
goods and
services

151.—(1) The value of goods and services provided as a contribution to a registered candidate is,

- (a) where the contributor is in the business of supplying these goods and services, the lowest amount charged by the contributor for an equivalent amount of similar goods and services at or about the time and in the same market area;
- (b) where the contributor is not in the business of supplying these goods or services, the lowest amount charged, at or about the time the goods or services are provided, by any other individual, corporation or trade union providing similar goods or services on a commercial retail basis in the same market area.

Where goods
or services
less than
\$100

(2) Goods or services having a total value of \$100 or less may, at the option of the individual, corporation or trade union providing these goods or services, be considered not to be a contribution for the purposes of this Part.

Where goods
or services
provided at
less than
value

(3) Where goods or services are provided to a registered candidate for a price that is less than the value of the goods or services as determined under subsection (1), the amount that the price is less than that value shall, subject to subsection (2), be a contribution for the purpose of this Part.

Political
advertisements

152.—(1) Where any individual, corporation or trade union with the knowledge and consent of a registered candidate promotes the election of the candidate or opposes the election of any other registered candidate by advertising on the facilities of any broadcasting undertaking, by publishing an advertisement in a newspaper, magazine or other periodical publication, by printing leaflets, pamphlets or other documents or through the use of any outdoor advertising facility and the amount of the cost of the advertisement,

- (a) in the case of any single advertisement, is more than \$100; and

- (b) in the case of any advertisements from a single service broadcast or published in any campaign period, in total exceeds \$100,

this amount shall be considered to be a contribution and, if done during the campaign period, a campaign expense of the candidate with whose knowledge and consent the political advertising was done.

(2) Notwithstanding subsection (1), where political advertising is provided on the facilities of any broadcasting undertaking without charge to registered candidates in a particular municipality or school board or local board jurisdiction in accordance with the *Broadcasting Act* (Canada) and the regulations made and guidelines issued thereunder, such political broadcasts shall not be considered a contribution or a campaign expense.

Idem

R.S.C. 1970,
c. B-11

(3) No individual, corporation or trade union shall cause any political advertisement to be broadcast on the facilities of any broadcasting undertaking or published in any newspaper, magazine or other periodical publication or through the use of any outdoor advertising facility unless the broadcaster or publisher of the political advertisement is furnished with the identification, in writing, of the individual, corporation or trade union sponsoring the political advertisement.

Identity of
sponsor of
advertisement
to be known

(4) A broadcaster who broadcasts or a publisher who publishes a political advertisement shall maintain records for a period of two years after the date of the broadcast or publication setting out the advertisement, the charge for it and any material relating to identification furnished to the broadcaster or publisher in connection with the advertisement and shall permit the public to inspect these records during normal office hours.

Records to
be
maintained of
political
advertisement

(5) All political printed advertising, handbills, placards, posters and broadcast or telecast advertisements shall bear or make reference to the name of the individual, corporation or trade union sponsoring the political advertising.

Name of
sponsor to be
included in
political
advertising

(6) In this section, "political advertisement" and "political advertising" mean any matter promoting or opposing the election of any registered candidate for which a fee is paid, but does not include any news reporting done in good faith.

Definition

153.—(1) In this section, "fund-raising function" means events or activities held for the purpose of raising funds for the registered candidate by whom or on whose behalf the function is held.

Definition

Restriction
on fund
raising

(2) A fund-raising function held by or on behalf of a registered candidate shall be held only during the campaign period.

Income to be
reported to
Commission

(3) The gross income from any fund-raising function shall be recorded and reported to the Commission by the chief financial officer of the registered candidate who held the function or on whose behalf the function was held.

Sale of
tickets, etc.

(4) Where a charge by the sale of tickets or otherwise is made for a fund-raising function, all or any portion of this charge, up to a maximum of \$25, may, at the option of the registered candidate by whom or on whose behalf the function was held, be considered not to be a contribution for the purposes of this Part.

Excess
payments
considered
contributions

(5) Any amount paid for goods or services offered for sale at a fund-raising function in excess of the highest amount charged, at or about the time the goods or services are provided, by any other person providing similar goods on a commercial basis in the same market area shall be considered a contribution.

Collections at
meeting

154.—(1) Where, at a meeting held on behalf of a registered candidate, money is given in response to a general collection of money solicited, no amount shall be given anonymously by any person in excess of \$10.

Idem,
reporting
of amount

(2) The amounts given under subsection (1) shall be considered not to be contributions but the gross amount collected shall be recorded and reported to the Commission by the chief financial officer.

Receipts to
be issued for
contributions

155.—(1) Every registered candidate shall issue or cause to be issued receipts in the form prescribed by the Commission for every contribution accepted.

Form of
receipt

(2) A receipt prescribed by the Commission under subsection (1) shall provide, on its face, for the acknowledgment of the contribution accepted by or on behalf of the registered candidate and, on its back, for an application to the clerk of the municipality who was responsible for conducting the election for a tax credit that the contributor is eligible to receive under this Part on account of the contribution.

Group contri-
butions to be
recorded as
to source

156.—(1) Any contribution to a registered candidate made through any unincorporated association, except a trade union, shall be recorded by the unincorporated association as to the individual sources and the amounts making up the contribution.

(2) The amounts making up a contribution under subsection (1) that are attributable to any individual, corporation or trade union are contributions of that individual, corporation or trade union. Idem

157. No registered candidate and no individual, corporation or trade union on behalf of the candidate shall solicit or accept any contributions in excess of the limits imposed by this Part. Prohibition

158. No registered candidate shall directly or indirectly solicit or accept contributions from, Restriction on contributions

- (a) any individual normally resident outside Ontario;
- (b) any corporation that does not carry on business in Ontario; or
- (c) a trade union other than a trade union as defined in this Part.

159. Contributions of not more than 15 cents per month by any member of a bargaining unit represented by a trade union through payroll deductions shall not be considered contributions from an individual for the purpose of this Part, but any amounts contributed to a registered candidate from these funds shall be considered to be a contribution from the trade union. Contributions by payroll deduction

160. No contribution shall be accepted by a registered candidate except through the chief financial officer or other person on record with the Commission as authorized to accept contributions. Contributions not to be accepted by candidate directly

161. Every registered candidate shall keep a record of all contributions in excess of \$25, whether in the form of money, goods or services, and in the case of a single contribution in excess of \$100, or contributions from a single source that in the aggregate exceed \$100, the name and address of the contributor. Record of contributions to be kept

BORROWING

162.—(1) A registered candidate may borrow from any chartered bank or other recognized lending institution in Ontario, if the loan and its terms, including the name of any guarantor of a loan, are recorded by the candidate and reported to the Commission. Borrowing

Limitation

(2) No registered candidate shall receive a loan from any individual, corporation, trade union or unincorporated association, other than from a chartered bank or other recognized lending institution as set out in subsection (1).

LOAN GUARANTEE

Guarantee of loans to registered candidates prohibited

163.—(1) Subject to subsection (2), no individual, corporation, trade union or unincorporated association shall sign, co-sign or provide collateral security for any loan, monetary obligation or indebtedness for or on behalf of any registered candidate.

Exception

(2) An individual, corporation or trade union that is eligible to make a contribution under this Part may guarantee any loan referred to in subsection 162 (1).

Guarantee as contribution

(3) A guarantee or a payment made by a guarantor in respect of a loan referred to in subsection 162 (1) is considered to be a contribution under section 148.

CAMPAIGN ADVERTISING

Restriction on advertising

164.—(1) No registered candidate and no individual, corporation or trade union acting with the candidate's knowledge and consent shall, except during the period of twenty-eight days immediately preceding the day before polling day,

- (a) advertise on the facilities of any broadcasting undertaking; or
- (b) procure for publication, cause to be published or consent to the publication of an advertisement in a newspaper, magazine or other periodical publication or through the use of outdoor advertising facilities,

for the purposes of promoting or opposing the election of a registered candidate.

Idem

(2) No individual or corporation shall, during the period prescribed in subsection (1), broadcast on the facilities of any broadcasting undertaking or publish in a newspaper, magazine or other periodical publication or through the use of outdoor advertising facilities an advertisement promoting or opposing the election of a registered candidate on behalf of any registered candidate or any individual, corporation or trade union acting with the candidate's knowledge or consent.

Exemptions

(3) Subsections (1) and (2) do not apply to,

- (a) advertising public meetings in the municipality or the jurisdiction of the school board or local board, as the case may be;
- (b) announcing the location of the campaign headquarters of a candidate;
- (c) advertising for volunteer campaign workers;
- (d) announcing services for electors by candidates respecting the revision of the preliminary list and additions to the polling list;
- (e) announcing services for electors on polling day; or
- (f) any other matter respecting administrative functions of a candidate's campaign headquarters,

if the advertisements, announcements and other matters are done in accordance with the guidelines of the Commission.

(4) Nothing contained in subsection (1) prohibits news reporting done in good faith during the period referred to in subsection (1) or the procuring for publication or the publishing of, Idem

- (a) an advertisement referred to in subsection (1) on the day immediately preceding polling day in a newspaper which is published in the municipality or in the jurisdiction of the school board or local board, as the case may be, not more frequently than once a week if the day of regular publication falls on the day immediately preceding polling day; or
- (b) an advertisement referred to in subsection (1) on the day immediately preceding polling day and on polling day through the use of any outdoor advertising facility.

(5) Nothing in subsection (1) prohibits the broadcasting on the facilities of a broadcasting undertaking of news reporting done in good faith in accordance with the *Broadcasting Act* (Canada) and the regulations made and guidelines published thereunder during the period referred to in subsection (1). Idem,
broadcasting
R.S.C. 1970,
c. B-11

(6) No individual or corporation shall,

- (a) charge a registered candidate, or any person acting with the candidate's knowledge and consent, a rate for broadcasting time on any broadcasting undertaking Limitations
on charges
for
broadcasting,
publishing

ing in the period beginning on the twenty-eighth day before the day immediately before polling day at an election and ending on the second day before polling day, that exceeds the lowest rate charged by the individual or corporation for an equal amount of equivalent time on the same facilities made available to any other person in that period; or

- (b) charge a registered candidate, or any person acting with the candidate's knowledge and consent, a rate for an advertisement in a periodical publication published or distributed and made public in the period referred to in clause (a) that exceeds the lowest rate charged by the individual or corporation for an equivalent amount of advertising space in the same issue of the periodical or in any issue published or distributed and made public in that period.

CAMPAIGN EXPENSES

Authorized
expenses

165.—(1) The campaign expenses of a registered candidate shall be incurred only under the direction of the chief financial officer of the candidate by persons authorized by the chief financial officer.

Proof of
authority

(2) Every person authorized to incur a campaign expense by a chief financial officer under subsection (1) shall, upon request, show a certificate, in the form prescribed by the Commission, signed by the chief financial officer as proof of the authority.

Limitation on
campaign
expenses,
head of
council

166.—(1) The total campaign expenses incurred by a registered candidate in an election for the office of head of council of a municipality and any individual, corporation or trade union acting on behalf of that registered candidate during the period commencing with the date of registration and ending on polling day shall not exceed \$5,500, plus \$0.50 per elector.

Idem,
members of
council, etc.

(2) Subject to subsection (3), the total campaign expenses incurred by a registered candidate in an election for the office of,

- (a) member of council, other than head of council, of a municipality;
- (b) member of council of a regional municipality where this office is required to be filled by the vote of the electors of an area municipality;

- (c) member of a school board if the members are to be elected at elections conducted by the same officers and in the same manner as elections of members of the council of a municipality; or
- (d) member of a local board if the members are to be elected at elections conducted by the same officers and in the same manner as elections of members of the council of a municipality,

and any individual, corporation or trade union acting on behalf of that candidate during the period commencing with the date of registration and ending on polling day shall not exceed \$3,500, plus \$0.50 per elector.

(3) Where the municipality, school board or local board jurisdiction is divided into wards and the election is for an office to represent the electors of one or more of those wards, the number of electors to be used in the calculation of the maximum amount of total campaign expenses that may be incurred by or on behalf of a registered candidate for the office shall be the total number of electors in the ward or wards, as the case may be.

Campaign expenses, ward system

(4) For the purposes of this section, the number of electors in a municipality or a school board or local board jurisdiction or a ward of the municipality or the school board or local board jurisdiction shall be determined by the clerk on the basis of information obtained from the polling list.

Determination of number of electors

(5) After determining the number of electors under subsection (4), the clerk shall calculate, for each office, the maximum amount of total campaign expenses that may be incurred by or on behalf of a registered candidate for an office under subsection (1) or (2), and certify this amount in the prescribed form and, no later than ten days after nomination day, deliver or cause to be delivered personally or send or cause to be sent by registered mail a copy of the certificate to each registered candidate for the office and to the Commission.

Duties of clerk

(6) Certification of the maximum amount of total campaign expenses that may be incurred by or on behalf of a registered candidate for the office by the clerk under subsection (5) is conclusive evidence of the fact.

Clerk's certificate conclusive

167.—(1) Every individual who or corporation or trade union which has any claim for payment in relation to a campaign expense shall submit the claim to the chief financial officer of the registered candidate who incurred the expense,

Submission of payment claims

- (a) in the case of a regular election, no later than the 31st day of March in the year following the election year; or
- (b) in the case of a new election, no later than 135 days after polling day.

Payment
of claims

(2) Every payment of a campaign expense shall be made by the chief financial officer of the registered candidate who incurred the campaign expense and, except where the campaign expense is less than \$25, the chief financial officer shall set out the particulars of payment.

Disputed
claims

(3) Where the chief financial officer of a registered candidate disputes or refuses to pay any claim for payment in relation to a campaign expense, that claim shall be considered to be a disputed claim.

AUDITORS

Appointment
of auditor

R.S.O. 1980,
c. 405

168.—(1) Every candidate, at the time of appointing a chief financial officer, shall appoint an auditor licensed under the *Public Accountancy Act* and shall immediately notify the Commission of the full name and address of the auditor.

Change of
auditors

R.S.O. 1980,
c. 405

(2) If an auditor appointed under subsection (1) ceases to hold office, ceases to be qualified under subsection (1) or becomes ineligible under subsection (3), the candidate shall immediately appoint another auditor licensed under the *Public Accountancy Act* and shall immediately notify the Commission of the full name and address of the auditor.

Persons not
eligible to be
auditors

(3) No election official and no registered candidate or chief financial officer of a registered candidate shall act as the auditor for the candidate, but nothing in this subsection makes ineligible the partners with whom or the firm with which this person is associated from acting as an auditor for the registered candidate.

Report of
auditor

(4) The auditor shall make a report to the chief financial officer of the registered candidate who appointed the auditor in respect of the financial statements, as required by section 169, and shall make such examination of the financial statements and supporting documentation as is necessary to enable the auditor to report on them in accordance with generally accepted auditing standards.

Idem

(5) If,

- (a) the auditor has not received from the chief financial officer all the information and explanation that is required; or
- (b) proper accounting records have not been kept by the chief financial officer so far as appears from the auditor's examination,

the auditor shall make a statement to that effect in the report made under subsection (4).

(6) An auditor shall have access at all reasonable times to the records, documents, books, accounts and vouchers of the registered candidate. Right of access

(7) The chief financial officer of the candidate shall provide such information and explanation as is necessary to enable the auditor to make the report under subsection (4). Co-operation required

FINANCIAL STATEMENTS

169.—(1) The chief financial officer of every registered candidate shall file with the Commission, Filing of financial statements with Commission

- (a) a financial statement setting out,
 - (i) all income received and expenses incurred in the campaign period,
 - (ii) all campaign expenses, paid and outstanding, incurred in a campaign period and a statement of all disputed claims, and
 - (iii) all information required to be recorded under section 161 that relates to the campaign period; and
- (b) the auditor's report on the financial statement.

(2) The financial statement and auditor's report under subsection (1) shall be filed, Idem

- (a) in the case of a regular election, no later than the 30th day of June in the year following the election year; or
- (b) in the case of a new election, no later than 225 days after polling day.

Filing of
financial
statements
with clerk of
municipality

(3) The chief financial officer shall, at the time of filing with the Commission, file a copy of the financial statement and the auditor's report referred to under subsection (1) with the clerk of the municipality who was responsible for the conduct of the election for which the registered candidate was registered.

Commission
to prepare
statement

(4) After the time for the filing of a financial statement and auditor's report has expired, the Commission shall immediately prepare a statement disclosing,

(a) the information received under this section; and

(b) the name of the registered candidate, if any, who failed to file a statement or report under this section,

and submit the statement to the council of the municipality, school board or local board, as the case may be.

Demand to
candidate to
file

(5) After the time for the filing of the financial statement and auditor's report has expired, the Commission shall immediately send by registered mail or deliver to a registered candidate who has failed to file a statement and report, a notice in the form prescribed by the Commission demanding that the registered candidate file a financial statement and auditor's report within thirty days from the date of the notice.

Contents of
demand
notice

(6) The notice under subsection (5) shall state that the registered candidate, if elected, shall forfeit the office and that the registered candidate, whether elected or not, is ineligible to hold any office up to and including the next regular election if the registered candidate fails to file the financial statement and auditor's report within thirty days of the date of the notice.

Publication
of notice

(7) The Commission shall publish the notice under subsection (5) in a newspaper having general circulation in the municipality.

Commission
to prepare
supple-
mentary
statement

(8) After the thirty day period for the filing of a statement and report has expired, the Commission shall immediately prepare a supplementary statement disclosing,

(a) any additional information received under this section; and

(b) the name of the registered candidate, if any, who failed to file a financial statement and auditor's

report within the thirty day period allowed under subsection (5),

and submit the statement to the council of the municipality, school board or local board, as the case may be.

SURPLUS

170.—(1) Where the financial statement of a registered candidate filed under section 169 shows a surplus, the surplus shall be immediately paid over to the clerk who was responsible for the conduct of the election who shall hold it in trust for the registered candidate for use in whole or in part by the registered candidate in the next regular election. Surplus funds

(2) The clerk shall not release the surplus held in trust for a candidate under subsection (1) to the candidate for use in whole or in part in the next regular election until the clerk has been notified by the Commission under section 143 that the candidate has become registered under this Part for that election. Release of funds, regular elections

(3) Where the candidate for whose benefit the surplus is held in trust under subsection (1) becomes registered under this Part for a new election that precedes the next regular election, the clerk, upon being so notified by the Commission, shall release the surplus to the candidate for use in whole or in part in that new election. Idem, new elections

(4) No surplus shall be released under subsection (2) or (3) to the registered candidate for whose benefit it is held in trust under subsection (1) where the office for which the candidate has been, or will be, nominated in the election is not on the same council, school board or local board, as the case may be, as the office in respect of which the surplus was produced. Restriction

(5) Where the candidate for whose benefit the surplus is held in trust under subsection (1), Disposal of surplus

- (a) notifies the clerk in writing that the candidate does not intend to seek nomination;
- (b) fails to be nominated;
- (c) is ineligible to be nominated; or
- (d) fails to become registered,

in the next regular election, the surplus shall be paid into the general funds of the municipality, school board or local board, as the case may be.

Idem

(6) Upon the repeal of any by-law passed under section 139 or any resolution passed under section 140 or 141, any surplus held by the clerk under this section shall be paid into the general funds of the municipality, school board or local board, as the case may be.

Ineligibility
respecting
future
elections

171.—(1) If a registered candidate,

- (a) fails to file a financial statement and auditor's report within thirty days of the date of the notice sent under subsection 169 (5);
- (b) files a financial statement and auditor's report that is either incorrect or does not comply with section 169 and fails to file a correction statement and report within thirty days from the date that the Commission files the statement under subsection 169 (5); or
- (c) incurs campaign expenses in excess of the amount permitted under section 166,

the registered candidate, in addition to any other penalty, is ineligible to be elected a member of the council, school board or local board or to hold office as a member thereof or to hold any other office in the municipality up to and including the next regular election.

Forfeiture
of office

(2) If a registered candidate who is declared elected, fails to file the documents referred to in clause (1) (a) or (b) or has exceeded the amount referred to in clause (1) (c), the Commission shall within five days of the default notify in writing the registered candidate and the council, school board or local board, as the case may be, to which the registered candidate was elected and the office to which the registered candidate was elected shall be deemed vacant and the registered candidate shall forfeit the office.

Ineligibility
respecting
future
elections

(3) If the office to which a registered candidate was elected subsequently becomes vacant and the registered candidate has forfeited the office under subsection (2), the registered candidate, in addition to any other penalty, is ineligible to be elected a member of the council, school board or local board or to hold office as a member thereof or to hold any other office in the municipality up to and including the next regular election.

172.—(1) Where the financial statement of a registered candidate who is not declared elected shows a surplus and the chief financial officer of the candidate fails to pay over the surplus to the clerk as required by section 170, the candidate, in addition to any other penalty, is ineligible to be nominated as a candidate in any subsequent election relating to any office for a period up to and including the next regular election, unless before that subsequent election the candidate or the chief financial officer has paid over the surplus to the clerk.

Ineligibility where surplus not paid to clerk

(2) Where,

Office declared vacant

- (a) a registered candidate is declared elected;
- (b) the financial statement of the candidate shows a surplus; and
- (c) the chief financial officer of the candidate fails to pay over the surplus to the clerk as required by section 170,

the Commission shall notify in writing the candidate and the council, school board or local board, as the case may be, to which the candidate was elected and the office to which the candidate was elected shall be immediately declared vacant and, in addition, the candidate is liable to any other penalty that may be imposed under this Act.

(3) Where the office to which a registered candidate was declared elected is subsequently declared vacant under subsection (2), the candidate, in addition to any other penalty, is ineligible to be nominated as a candidate in any subsequent election relating to any office for a period up to and including the next regular election, unless prior to that subsequent election the candidate or the chief financial officer has paid over the surplus to the clerk.

Ineligibility respecting future elections

TAX CREDIT

173.—(1) Every individual who and every corporation or trade union which made a contribution to a candidate registered under this Part during the campaign period of an election may within one year of polling day apply, in the form prescribed by the Commission, to the clerk of the municipality who was responsible for conducting the election to receive a tax credit.

Tax credit

(2) The tax credit which a contributor is eligible to receive under subsection (1) is an amount equal to,

Amount of tax credit

- (a) 75 per cent of the total amount contributed by the contributor to all candidates if the amount contributed does not exceed \$100;
- (b) \$75 plus 50 per cent of the amount by which the total amount contributed by the contributor to all candidates exceeds \$100 and does not exceed \$400; or
- (c) the lesser of,
 - (i) \$225 plus 33 1/3 per cent of the amount by which the total amount contributed by the contributor to all candidates exceeds \$400 if the total amount contributed exceeds \$400, and
 - (ii) \$350,

if payment of each amount that is included in the total amount contributed by the contributor to all registered candidates is proven by receipts in the form prescribed by the Commission that are signed by a recorded agent of the candidate.

Reduction of
tax credits

(3) A tax credit under subsection (2),

- (a) shall first be applied by the clerk to reduce any arrears in taxes or other debts then owing to the municipality by the contributor; and
- (b) may be applied to offset current taxes, at the request of the contributor.

Payment of
rebates

(4) Where the contributor does not owe any taxes or other debts to the municipality or does not make the request under clause (3) (b), the clerk shall pay to the contributor an amount equal to the amount of the tax credit which the contributor is eligible to receive under subsection (2).

Recovery of
tax credit

(5) Where the contribution upon which the application for a tax credit under subsection (1) is based was made to a registered candidate in an election for the office of chairman or member of the council of a regional or metropolitan municipality, the clerk shall recover the amount of the tax credit provided to any contributor under subsection (3) or (4) from the regional or metropolitan municipality by billing the regional or metropolitan municipality for that amount.

Recovery of
tax credit
from school
board

(6) Where the contribution upon which the application for a tax credit under subsection (1) is based was made to a reg-

istered candidate in a school board election, the clerk shall recover the amount of the tax credit provided to any contributor under subsection (3) or (4) from the school board by billing the school board for that amount.

(7) Where the contribution upon which the application for a tax credit under subsection (1) is based was made to a registered candidate in a local board election, the clerk shall recover the amount of the tax credit provided to any contributor under subsection (3) or (4) from the local board by billing the local board for that amount.

Recovery of
tax credit
from local
board

(8) No tax credit shall be provided to a contributor under subsection (3) or (4) until the Commission has notified the clerk in writing that all of the financial statements and auditor's reports filed with it by the chief financial officers of the registered candidates in the election as required by section 169 have been examined.

Condition for
giving tax
credits

(9) Tax credits shall be issued to contributors only during the one-year period following receipt of the notice given by the Commission under subsection (8).

Time
restriction

(10) No tax credit shall be provided to a contributor under subsection (3) or (4) for a contribution to a registered candidate where the chief financial officer of the candidate has failed to file the financial statement and auditor's report required by section 169 or where the financial statement and auditor's report of the candidate have been found by the Commission to be unsatisfactory.

Refusal of
tax credit

(11) In this section, "tax credit" includes a rebate of contributions.

Interpretation

ACCESS TO DOCUMENTS

174.—(1) Documents filed with the Commission or the clerk of a municipality under this Part are public records and may be inspected by any person upon request at the office of the Commission or of the clerk during normal office hours.

Inspection of
documents

(2) Any person may make extracts from the documents referred to in subsection (1) and is entitled to copies of the documents upon payment for the preparation of the copies at such rate as the Commission may determine or at such rate as the clerk charges for the preparation of copies of other documents.

Extracts and
copies

(3) No individual, corporation or trade union shall use any of the information contained in any document filed with the

Not to be
used for
commercial
solicitation

Commission or the clerk under this Part for the purpose of commercial solicitation.

FORMS

Form

175. All applications, returns, statements and other documents to be filed with the Commission shall be filed in the form prescribed by the Commission.

POWERS AND DUTIES OF COMMISSION

Powers and
duties of
Commission
1986, c. 33

176. Except as otherwise provided in this Part, the provisions of the *Election Finances Act, 1986* relating to the powers and duties of the Commission apply with necessary modifications to the Commission in the administration of this Part.

OFFENCES

Offence,
chief
financial
officer

177.—(1) The chief financial officer of a registered candidate who contravenes section 169 is guilty of an offence and on conviction is liable to a fine of not more than \$1,000.

Idem,
candidate

(2) Where any contravention of this Part that is an offence by virtue of subsection (1) is committed by a chief financial officer of a registered candidate, the candidate for which the chief financial officer acts is guilty of an offence and on conviction is liable to a fine of not more than \$1,000.

Offence,
candidate

178. Where the total campaign expenses incurred by a registered candidate and any individual, corporation or trade union acting on behalf of the candidate during the campaign period exceeds the amount determined under section 166 for the office subject to election, the registered candidate is guilty of an offence and on conviction is liable to a fine of not more than \$1,000 plus the amount by which the total campaign expenses of the candidate exceeded the amount determined under section 166.

Offence,
candidate

179. Where the financial statement of a registered candidate shows a surplus and the surplus is not paid over to the clerk as required by section 170, the candidate is guilty of an offence and on conviction is liable to a fine of not more than \$1,000 plus the amount of the surplus.

Offence,
corporations,
trade union

180. Every corporation or trade union that contravenes any of sections 143 to 174 is guilty of an offence and on conviction is liable to a fine of not more than \$10,000.

- 181.** Every individual who contravenes any of sections 143 to 174, except subsection 148 (1), is guilty of an offence and on conviction is liable to a fine of not more than \$1,000. Offence,
individuals
- 182.** No person shall obstruct a person making an investigation or examination under this Part or withhold, conceal or destroy or alter any books, papers, documents or things relevant to the subject-matter of the investigation or examination. Obstruction
prohibited
- 183.** No person shall knowingly make a false statement in any application, return, financial statement or other document filed with the Commission under this Part. Prohibition,
false
statements
- 184.** No person shall knowingly give false information to a chief financial officer or other person authorized to accept contributions. Prohibition,
false
information
- 185.—(1)** A prosecution for an offence under this Part may be instituted against a trade union in the name of the trade union and, for the purposes of any prosecution, the trade union shall be deemed to be a person. Prosecution
of trade
unions
- (2) Any act or thing done or omitted by an officer or agent of a trade union within the scope of the officer's or agent's authority on behalf of the trade union shall be deemed to be an act or thing done or omitted by the trade union. Trade union
liable for acts
of agents
- 186.** No prosecution shall be instituted under this Part without the consent of the Commission and no prosecution shall be instituted more than one year after the facts upon which the prosecution is based first came to the knowledge of the Commission. Consent of
Commission
- 13.** Section 37 of the *Municipal Act*, being chapter 302 of the Revised Statutes of Ontario, 1980, is amended by inserting after "qualified" in the first line "to be elected or".
- 14.** Section 38 of the said Act is amended by adding thereto the following subsection:
- (1a) A member of council who ceases to hold the qualifications required under clause 37 (a) is disqualified from holding the office of member of council. Member to
maintain
eligibility
- 15.—(1)** For the purpose of the 1988 regular elections, the campaign period commences on the day this Act comes into force. Transition
- (2) For the purpose of the 1988 regular elections, a municipality, school board or local board may pass a by-law or reso- Idem

lution to have Part III apply to the election if the by-law or resolution is passed within sixty days after the coming into force of this Act.

Commence-
ment

16.—(1) This Act, except section 3, comes into force on the day it receives Royal Assent.

Idem

(2) Section 3 comes into force on the 1st day of January, 1991.

Short title

17. The short title of this Act is the *Municipal Elections Statute Law Amendment Act, 1988 (No. 2)*.

CHAPTER 34

An Act to amend the Financial Administration Act

Assented to June 8th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 3 of the *Financial Administration Act*, being chapter 161 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1984, chapter 37, section 1, is repealed and the following substituted therefor:

3.—(1) When the Treasurer considers it advisable for the sound and efficient management of public money, the public debt or any sinking fund, the Treasurer may purchase, acquire, hold or enter into,

Securities
and securities
contracts

- (a) securities issued by or guaranteed as to principal and interest by Ontario, any other province of Canada, Canada, the United Kingdom or the United States of America;
- (b) securities issued or guaranteed by the International Bank for Reconstruction and Development payable in Canadian or United States currency;
- (c) deposit receipts, deposit notes, certificates of deposit, acceptances and other similar instruments issued, guaranteed or endorsed by a chartered bank to which the *Bank Act* (Canada) applies;
- (d) foreign currency exchange agreements;
- (e) interest rate exchange agreements;
- (f) spot and forward foreign currency contracts; and
- (g) other securities, financial contracts, agreements and investments authorized by the Lieutenant Governor in Council.

1980-81,
c. 40 (Can.)

Terms and conditions

(2) A purchase, acquisition, holding or entering into mentioned in subsection (1) may be subject to such terms and conditions as the Treasurer considers advisable.

Payment out of Consolidated Revenue Fund

(3) The moneys required for the purposes of subsection (1), or in respect of the performance of a contract or agreement mentioned in subsection (1), are a charge upon and payable out of the Consolidated Revenue Fund.

Sale or disposal

(4) The Treasurer may sell or dispose of anything mentioned in subsection (1) purchased, acquired, held or entered into by the Treasurer, and the proceeds of the sale or disposition shall be deposited to the credit of the Consolidated Revenue Fund.

Fees, commissions or expenses

(5) Fees, commissions or expenses incurred by the Treasurer in respect of the purchase, acquisition, holding, entering into, performance, sale or disposition of anything mentioned in subsection (1) are a charge upon and payable out of the Consolidated Revenue Fund.

Commencement

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Financial Administration Amendment Act, 1988*.

CHAPTER 35

An Act to assist Ontario Residents to save for the purchase of a First Home

Assented to June 8th, 1988

CONTENTS

Section	Section
1. Definitions	9. Tax credit recovery
2. Terms of Ontario home ownership savings plan	10. Proposal to close plan
3. Maximum annual qualifying contributions	11. Deemed receipt of assets of plan on 1st day of January, 2000
4. Duty to hold in qualified investments	12. Tax credit recovery after release of assets of plan
5. Purchase of qualifying eligible home	13. Action to collect
6. Death of planholder	14. Duty to keep records
7. Election to transfer on death of planholder	15. Audit
8. Replacement depositary	16. Confidentiality
	17. Offences
	18. Limitation
	19. Regulations
	20. Commencement
	21. Short title

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this Act,

Definitions

“assets of the plan”, in respect of a home ownership savings plan, means all contributions made into the plan, any transfers made into the plan under section 7 and all income earned therefrom and on assets substituted therefor, whether or not the assets of the plan are in the form of qualified investments;

“contribution” means an amount of money paid by an individual to a depositary as a payment into a home ownership savings plan;

“depositary” means a branch or office in Ontario of,

- (a) the Province of Ontario Savings Office, or

- (b) a financial institution that is a member of the Canada Deposit Insurance Corporation or of the Ontario Share and Deposit Insurance Corporation;

“home ownership savings plan” means an arrangement entered into by an individual and a depositary under which payment is made by the individual to the depositary of an amount of money as a payment under the arrangement to be used, invested or otherwise applied by the depositary for the purpose of providing to the individual as the planholder under the arrangement an amount of money to be used by the individual for the purchase by him or her of a qualifying eligible home;

R.S.C. 1952,
c. 148

“individual” means a person other than either a trust referred to in subdivision k of Division B of Part I of the *Income Tax Act* (Canada) or a corporation;

“Minister” means the Minister of Revenue;

“Ontario home ownership savings plan” means a home ownership savings plan that complies with section 2;

“planholder”, in respect of a home ownership savings plan, means an individual eighteen or more years of age to whom, under the plan, a single payment is agreed to be paid, but does not include an individual to whom under a plan a single payment is agreed to be paid as a consequence of the death of another individual;

“prescribed” means prescribed by the regulations;

“qualified investment” means an investment that is a qualified investment for the purposes of section 4;

“qualifying contribution” has the meaning given to that expression by section 3;

“qualifying eligible home” has the meaning given to that expression by subsection 5 (4);

“regulations” means the regulations made under this Act;

“solicitor” means a member of the Law Society of Upper Canada who is entitled to practise law in Ontario as a barrister and solicitor and who maintains all insurance coverage that may be required by the Law Society of Upper Canada from time to time in connection with and for the purposes of carrying on the private practice of law in Ontario;

“spouse” means an individual to whom an individual is married;

“tax credit” means an Ontario home ownership savings plan tax credit allowed to an individual or the individual’s spouse or former spouse under the *Income Tax Act* with respect to the amount of qualifying contributions made by the individual to an Ontario home ownership savings plan; R.S.O. 1980,
c. 213

“tax credit recovery” means the amount determined under subsection 9 (1);

“taxation year” has the meaning given to that expression by the *Income Tax Act*;

“Treasurer” means the Treasurer of Ontario.

(2) For the purposes of this Act, an eligible home is, Eligible
home

- (a) a detached house;
- (b) a semi-detached house;
- (c) a townhouse;
- (d) a share or shares of the capital stock of a co-operative corporation if the share or shares are acquired for the purpose of acquiring the right to inhabit a housing unit owned by the corporation;
- (e) a mobile home that complies with the prescribed standards and is suitable for year round permanent residential occupation;
- (f) a condominium unit;
- (g) a residential dwelling that is a duplex, triplex or a fourplex; or
- (h) any other residential property as may be prescribed.

(3) For the purposes of this Act, an individual shall not be considered to own an eligible home unless, Ownership of
eligible home

- (a) in the case of an eligible home referred to in clause (2) (a), (b), (c) or (g), the individual has an ownership interest in the eligible home and,

R.S.O. 1980,
c. 84

- (i) owns a freehold estate in the land subjacent to the eligible home other than as a mortgagee, or
 - (ii) is a lessee of the land subjacent to the eligible home;
- (b) in the case of an eligible home that is a condominium unit, the individual is an owner of the unit and common elements within the meaning of the *Condominium Act*;
- (c) in the case of an eligible home in the form of a share or shares of the capital stock of a co-operative corporation,
 - (i) the individual has acquired, jointly with another person or otherwise, the share or shares to enable the individual to acquire a right to occupy a housing unit owned by the co-operative corporation,
 - (ii) the individual and the co-operative corporation have entered into an enforceable occupancy agreement in respect of the housing unit, and
 - (iii) the individual is entitled to vacant possession of the housing unit under the terms of the occupancy agreement;
- (d) in the case of an eligible home that is a mobile home suitable for year-round permanent residential occupation,
 - (i) the individual, either alone or jointly with another person, has completed the purchase of the mobile home,
 - (ii) the mobile home is situated on a foundation, which meets the prescribed standards, on the land where it is to be inhabited, and
 - (iii) the land is owned by the individual, jointly with another person or otherwise, or is occupied by the individual under a licence or lease that permits the individual to locate the mobile home on the land and to occupy it as a year-round residence; and

- (e) in the case of an eligible home of a prescribed class or nature, or owned by a member of a prescribed class of persons, the prescribed terms and conditions are met.

2. For the purposes of this Act and the *Income Tax Act*, a home ownership savings plan entered into by a planholder and a depositary after the 31st day of August, 1988, and before the 1st day of January, 1994, that complies with the following terms and conditions is an Ontario home ownership savings plan:

Terms of
Ontario
home
ownership
savings plan
R.S.O. 1980,
c. 213

1. The terms of the plan do not permit any payment to the planholder of any asset of the plan except by way of,
 - i. a single payment of all of the assets of the plan to a solicitor designated by the planholder to hold the assets of the plan as trust property in trust for the planholder and the Crown jointly and to legally represent the planholder in the purchase by the planholder of a qualifying eligible home, or
 - ii. a single payment of all the assets of the plan, less the amount to be withheld by the depositary under section 9 or the amount, if any, directed by the Minister under subsection 5 (5), to the planholder or to the legal personal representative of the planholder upon the death of the planholder.
2. The terms of the plan require the depositary to withhold and remit to the Minister the percentage of the total value of the assets of the plan required under section 9 on any payment of assets of the plan to the planholder or to the legal personal representative of the planholder upon the death of the planholder.
3. The terms of the plan provide that the depositary will accept repayment of assets into the plan from a solicitor to whom assets of the plan were paid.
4. The terms of the plan provide that the payment to the planholder is not capable in whole or in part of surrender, assignment or transfer except as permitted by an election under section 7.

R.S.C. 1952,
c. 148

5. The planholder is at least eighteen years of age and a resident of Ontario at the time of entering into the plan.
6. The planholder has been assigned a Social Insurance Number referred to in section 237 of the *Income Tax Act* (Canada) and has provided that number and the Social Insurance Number of the planholder's spouse, if the planholder is married, to the depositary at the time of entering into the plan.
7. The planholder is not and has never previously been a planholder under any other Ontario home ownership savings plan.
8. The planholder has never owned an eligible home anywhere in the world.
9. No spouse of the planholder with whom the planholder resides, or from whom the planholder lives separate and apart for reasons other than marriage breakdown, has ever owned an eligible home anywhere in the world.
10. The terms of the plan prohibit any amendment to the terms of the plan other than the addition or deletion of the right of the planholder to make an election described in subsection 7 (1).
11. The terms of the plan provide that on the death of the planholder, the depositary shall transfer or distribute all assets of the plan, less any amount required by section 9 to be withheld and remitted to the Minister, in accordance with this Act.
12. The terms of the plan prohibit the holding of the assets of the plan in any form other than qualified investments.
13. The plan includes a provision denying the depositary any right of set-off as regards the assets of the plan in connection with any debt or obligation to the depositary that the planholder under the plan owes or may thereafter owe.
14. The terms of the plan provide that no loan or advance may be made to the planholder or to any person with whom the planholder does not deal at arm's length, within the meaning of section 251 of

the *Income Tax Act* (Canada), if a condition of such loan or advance is the existence of the plan. R.S.C. 1952, c. 148

15. The terms of the plan include the acknowledgment by the planholder that he or she understands that the amount of a tax credit, if any, available under the *Income Tax Act* with respect to contributions made to the plan in any year depend on the planholder's level of income for that year and that the provisions of this Act apply notwithstanding that the planholder may not be entitled to a tax credit in any year. R.S.O. 1980, c. 213

16. The terms of the plan provide that any receipt,

- i. for a contribution to the plan, issued by the depository after the date on which the planholder has received, or has been deemed by this Act to have received, any assets of the plan or the use or benefit of any assets of the plan, other than in accordance with section 5, or
- ii. for a contribution made to the plan after the 31st day of December of the fourth calendar year ending after the end of the calendar year in which the plan was entered into by the depository and the planholder,

shall be in a form substantially different from the form of receipt required to be filed with the Minister by a planholder claiming a tax credit under the *Income Tax Act* with respect to contributions made to an Ontario home ownership savings plan. R.S.O. 1980, c. 213

17. The terms of the plan contain the consent of the planholder to the release to the Minister of all information obtained by the depository with respect to the plan, the planholder and the planholder's spouse, if any, for the purposes of this Act and the operation of the plan.
18. The terms of the plan comply with any additional prescribed conditions or requirements.

3.—(1) The total amount of a planholder's qualifying contributions to an Ontario home ownership savings plan for a calendar year for the purposes of this Act and the *Income Tax Act* shall not exceed the lesser of, Maximum annual qualifying contributions R.S.O. 1980, c. 213

- (a) the total amount of qualifying contributions made by the planholder to the planholder's Ontario home ownership savings plan during the calendar year; and
- (b) \$2,000.

time limit
for qualifying
contributions

(2) No contribution to an Ontario home ownership savings plan shall be a qualifying contribution unless it is made on or before the earlier of,

- (a) the 31st day of December, 1997; and
- (b) the 31st day of December of the fourth calendar year ending after the end of the calendar year in which the plan was entered into by the depository and the planholder.

Idem

R.S.O. 1980,
c. 213

(3) No contribution to an Ontario home ownership savings plan shall be a qualifying contribution for the purposes of this Act and the *Income Tax Act* where,

- (a) the planholder has received or has been deemed by this Act to have received, other than by reason of death, any assets of the plan or the benefit or use of any assets of the plan during the year in which the contribution is made, otherwise than for the purpose of purchasing a qualifying eligible home described in subsection 5 (4);
- (b) the contribution has been made at a time when the planholder or a spouse of the planholder with whom the planholder resides, or from whom the planholder is separated for reasons other than marriage breakdown,
 - (i) is the owner of an eligible home, or
 - (ii) is a partner in a partnership that owns property that would be an eligible home of the partner if the property was owned by the partner;
- (c) the planholder or a spouse of the planholder with whom the planholder resides at the end of the calendar year in which the contribution is made, or from whom the planholder lives separate and apart for reasons other than marriage breakdown, owns or owned at any time an interest in an eligible

home, other than an interest in the qualifying eligible home referred to in clause (a); or

- (d) the planholder does not reside in Ontario at the end of the taxation year in which the contribution is made.

4.—(1) A depositary of an Ontario home ownership savings plan shall hold all assets of the plan only in qualified investments. Duty to hold in qualified investments

(2) For the purposes of this Act, a qualified investment is, Qualified investments defined

(a) money that is legal tender in Canada;

(b) a deposit that is,

(i) with a branch of the Province of Ontario Savings Office or insured by the Canadian Deposit Insurance Corporation or the Ontario Share and Deposit Insurance Corporation, and

(ii) repayable on demand or, where the deposit has a fixed maturity date, is redeemable at the option of the planholder prior to maturity; or

(c) any other type of investment prescribed by the regulations.

5.—(1) Where a planholder has entered into a written agreement to purchase an eligible home that will be a qualifying eligible home described in subsection (4) and requests release from the planholder's Ontario home ownership savings plan of assets of the plan to be applied towards the purchase price of the eligible home, the following rules apply: Purchase of qualifying eligible home

1. The planholder shall designate a solicitor for the purposes of this Act in the prescribed manner.
2. The planholder shall make application to the depositary of the Ontario home ownership savings plan in the prescribed manner and in the prescribed form for release of the assets of the plan.
3. The depositary shall release, not earlier than thirty days before the date set out in the agreement of purchase and sale as the date of closing of the purchase of the eligible home, the assets of the plan as trust property to the solicitor designated by the

planholder and shall file with the Minister at the prescribed time a return in the prescribed form notifying the Minister of the particulars of the release.

4. The solicitor designated by the planholder shall hold the assets of the plan released by the depositary separate and apart from the solicitor's own money, assets and estate, in trust for the benefit of the planholder and Her Majesty in right of Ontario, jointly, and shall deal with the trust property only as provided in paragraph 5 or 6, as applicable.
5. In the event that,
 - i. the agreement of purchase and sale of the eligible home is not completed within the prescribed time after release by the depositary of the assets of the plan to the solicitor in trust,
 - ii. the solicitor declines to accept receipt of the assets of the plan in trust, or declines to assume or fulfil the duties required of the solicitor under this Act, or
 - iii. the solicitor declines to or ceases to represent the planholder in the purchase by the planholder of the eligible home,

the solicitor shall forthwith remit the entire assets of the plan to the depositary in the prescribed manner.

6. Where the agreement of purchase and sale of the eligible home is completed within the prescribed time, the solicitor may release the assets of the plan to the vendor under the agreement of purchase and sale or to the planholder as part or all of the consideration payable by the planholder for the purchase of the eligible home.
7. Upon completion of the purchase of the eligible home by the planholder and the disbursement by the solicitor of the assets of the plan, the solicitor shall file with the Minister proof acceptable to the Minister of the completion of the purchase of the eligible home and the fulfilment by the solicitor of his or her duties under this Act.

Idem

(2) For the purposes of paragraph 1 of section 2, no payment shall be deemed to have been made by a depositary of an Ontario home ownership savings plan to a solicitor where

the solicitor has remitted the assets of the plan received from the depositary to the depositary under paragraph 5 of subsection (1).

(3) The interest of Her Majesty in right of Ontario in the assets of the plan shall be deemed to be released only where the solicitor has paid over the assets of the plan in accordance with paragraph 6 of subsection (1) on the purchase by the planholder of an eligible home that will be a qualifying eligible home.

Release of
Crown's
interest

(4) For the purposes of this Act, an eligible home is a qualifying eligible home only where,

Qualifying
eligible home
defined

- (a) the eligible home is located in Ontario and is suitable for use as a year-round dwelling place, or, in the case of an eligible home that is in the form of a share or shares in the capital stock of a co-operative corporation, the housing unit is located in Ontario and is suitable for use as a year-round dwelling place;
- (b) the eligible home is the first eligible home anywhere owned, jointly with another person or otherwise, by the planholder; and
- (c) the eligible home is acquired as the principal residence of the planholder to be ordinarily inhabited by the planholder or by the planholder's spouse or an individual who was the planholder's spouse at the time of acquisition by the planholder of the eligible home, or by both of them, for a period of at least thirty consecutive days within two years of the first day of ownership by the planholder.

(5) Where the assets of the plan have not been released under subsection (1), the Minister may, if the Minister is satisfied that the planholder has purchased property that is or may become a qualifying eligible home under subsection (4),

Minister's
discretion to
release

- (a) consent to the release of the assets of the plan by the depositary to the planholder;
- (b) in the case of an agreement to purchase a proposed condominium unit that may become a qualifying eligible home, consent to the release of the assets of the plan to the planholder, but the date of release of the assets of the plan shall be not more than thirty days before the date when a deed or transfer of the unit acceptable for registration is to be deliv-

ered to the planholder unless the Minister is satisfied that,

- (i) the planholder is required, under the agreement to purchase the proposed condominium unit, to take possession of or to occupy the proposed condominium unit before a deed or transfer of the unit acceptable for registration is delivered to the planholder, and
- (ii) the total amount the planholder has paid or is required to pay forthwith to the vendor of the proposed condominium unit under the agreement is equal to or greater than the value of the assets of the plan;
- (c) direct that no amount, or an amount not in excess of the amount otherwise determined under subsection 9 (2), be deducted, withheld and remitted to the Minister by the depositary of the plan under subsection 9 (2); and
- (d) impose such conditions on the release as the Minister, in his or her discretion, considers necessary to ensure compliance with this Act and the regulations.

Refund

(6) Where an amount has been deducted, withheld and remitted under clause (5) (c), the Minister may refund the amount to the planholder, together with interest on the amount at the prescribed rate, where the Minister is satisfied that the property purchased by the planholder is or will be a qualifying eligible home under subsection (4).

Proposed
condominium
unit

(7) For the purposes of subsection 12 (1), where the assets of an Ontario home ownership savings plan have been released under subsection (5) to a planholder who has entered into an agreement to purchase a proposed condominium unit, the planholder shall be deemed to have acquired ownership of the proposed condominium unit and the proposed condominium unit shall be deemed to be an eligible home on the date the planholder is entitled to immediate vacant possession of the proposed condominium unit.

Death of
planholder

6. Subject to section 7, in the event of the death of a planholder of an Ontario home ownership savings plan,

- (a) the planholder shall be deemed to have received all of the assets of the plan immediately before his or her death; and

- (b) the depositary of the Ontario home ownership savings plan shall pay over the assets of the plan, less the amount required to be withheld and remitted to the Minister under section 9, to the legal personal representative of the deceased planholder or, where the planholder had previously designated in writing a person entitled to receipt of the assets of the plan on the death of the planholder, to such person.

7.—(1) If permitted by the terms of the plan, the planholder of an Ontario home ownership savings plan may make and file with the depositary of the plan an election in writing, electing to transfer all assets of the plan on the death of the planholder to the Ontario home ownership savings plan of the planholder's spouse if the spouse survives the planholder.

Election to transfer on death of planholder

(2) Subject to subsection (3), where the planholder of an Ontario home ownership savings plan has made and filed an election under subsection (1) that was not revoked by the planholder before his or her death, the depositary of the plan shall, upon the death of the deceased planholder,

Transfer to spouse's plan

- (a) transfer all assets of the plan within fifteen months of the death of the deceased planholder to the Ontario home ownership savings plan of which the spouse of the deceased planholder is the planholder; and
- (b) notify the Minister in writing of the transfer and provide to the Minister such information with respect to the transfer as the Minister may require.

(3) No transfer may be made under subsection (2) unless,

No transfer to spouse's plan

- (a) the spouse is alive at the time of the transfer to the spouse's Ontario home ownership savings plan; and
- (b) the spouse is eligible under this Act to be and is a planholder of an Ontario home ownership savings plan at the time of the transfer.

(4) For the purposes of this Act and the *Income Tax Act*, where assets of the plan of a deceased planholder have been transferred under subsection (2),

Idem
R.S.O. 1980,
c. 213

- (a) all such property shall be deemed to form part of the assets of the plan of the spouse from the date of death of the deceased planholder;

- (b) any tax credit allowed under the *Income Tax Act* to a person with respect to any qualifying contribution made by the deceased planholder to the deceased planholder's Ontario home ownership savings plan shall be deemed to be a tax credit allowed to the spouse at the time, in the amount and in respect of the taxation year such tax credit was allowed under that Act to such person, notwithstanding that by operation of this clause the total amount of tax credits allowed and deemed to have been allowed to the spouse in respect of any taxation year exceeds the maximum tax credit allowed under that Act for the taxation year, and the date of the first assessment referred to in subclause 9 (1) (b) (i) shall be, for the purposes of determining the amount of interest that may be payable at any time by the spouse under subsection 9 (1), the date of the first assessment for the taxation year under which the tax credit was allowed to such person;
- (c) the deceased planholder shall be deemed not to have received any assets of the plan; and
- (d) the amount of the transfer shall not be taken into consideration in determining the amount of any tax credit that may be claimed by any person under the *Income Tax Act* with respect to contributions to the spouse's plan.

R.S.O. 1980,
c. 213

Deemed
revocation of
election

(5) Where no transfer under subsection (2) may be made by reason of the provisions of subsection (3), the deceased planholder shall be deemed to have revoked the election referred to in subsection (1) prior to death.

Multiple
transfers

(6) For the purposes of clause (4) (b), the qualifying contributions made by the deceased planholder to the deceased planholder's Ontario home ownership savings plan shall be deemed to include all qualifying contributions made by any other deceased planholder to an Ontario home ownership savings plan the assets of which have been transferred under this section to the deceased planholder's Ontario home ownership savings plan.

Replacement
depository

8. An Ontario home ownership savings plan may at any time be revised or amended to provide for the transfer, on behalf of and at the direction of the planholder, of the assets of the plan by the depository to another depository, which may be referred to as a replacement depository, to be held by the replacement depository as assets of an Ontario home ownership savings plan and upon the transfer,

- (a) the amount transferred shall not be deemed to have been received by the planholder;
- (b) the replacement depositary shall hold the amount transferred as assets of the Ontario home ownership savings plan of the planholder under an arrangement the terms and conditions of which comply with section 2 and shall assume and fulfil the responsibilities under this Act of the depositary of the plan;
- (c) the transfer shall not be considered to be a qualifying contribution to an Ontario home ownership savings plan; and
- (d) the planholder shall not be considered to have entered into more than one Ontario home ownership savings plan by reason only of the transfer.

9.—(1) Where a planholder under an Ontario home ownership savings plan receives any assets of the plan or the use or benefit of any assets of the plan either directly or indirectly, or is deemed by this Act to have received any assets of the plan, other than for the purpose of purchasing a qualifying eligible home described in subsection 5 (4), the planholder is liable to pay to the Treasurer an amount equal to the aggregate of,

Tax credit
recovery

- (a) a tax credit recovery equal to the total amount of all tax credits allowed under the *Income Tax Act* to the planholder or to the planholder's spouse or former spouse in respect of qualifying contributions made by the planholder to the plan; and
- (b) interest at the prescribed rate on the amount of each such tax credit computed from the later of,
 - (i) the date of the first assessment under the *Income Tax Act* for the taxation year to which the tax credit applies which allows the tax credit to any person, and
 - (ii) the 30th day of April of the year following the taxation year to which the tax credit applies,

R.S.O. 1980,
c. 213

to the date of payment by the planholder.

(2) Except in the circumstances described in section 5, where a depositary of an Ontario home ownership savings plan pays out or releases any assets of the plan to any person,

Withholding
by depositary

or the planholder is deemed by this Act to have received any assets of the plan, the depositary shall,

- (a) file with the Minister a return in the prescribed form containing the prescribed information within thirty days of the date of the payment or release of the assets of the plan or the date the planholder is deemed by this Act to have received any assets of the plan, as the case may be;
- (b) deduct and withhold from the assets of the plan and remit to the Minister in the prescribed manner and at the prescribed time, on account of the tax credit recovery and interest payable by the planholder under subsection (1), an amount equal to 25 per cent of the total value of all assets of the plan immediately before the payment or release or on the date the planholder is deemed by this Act to have received any assets of the plan, as the case may be; and
- (c) hold the amount required to be withheld and remitted under clause (b) separate and apart from the depositary's own money, assets and estate, in trust for Her Majesty in right of Ontario, until the amount is remitted to the Minister.

Notice of
determination
of tax credit
recovery and
interest

(3) Where a planholder is liable to pay an amount under subsection (1), the Minister shall determine the amount of the tax credit recovery and interest payable by the planholder and shall send to the planholder a notice of determination of the tax credit recovery and interest.

Payment of
tax credit
recovery and
interest

(4) The planholder shall, within thirty days from the day of mailing of the notice of determination under subsection (3), pay to the Treasurer any part of the tax credit recovery and interest then remaining unpaid, whether or not an objection to or an appeal from the Minister's determination is outstanding, all amounts received by the Treasurer under this section to be applied firstly to any interest then payable and any balance then remaining to be applied against the tax credit recovery payable.

Refund of
overpayment

(5) The Minister shall, on or after mailing the notice of determination under subsection (3), refund any overpayment made on account of the amount payable by the planholder under subsection (1) and shall pay interest at the prescribed rate on such overpayment from the day when the overpayment arose to the day of refunding, unless the amount of the

interest calculated is less than one dollar, in which event no interest shall be paid.

(6) A notice of determination under this section includes Idem any amended notice of determination.

(7) Where an amount has been deducted, withheld and Idem remitted under subsection (2), the receipt of the Minister therefor is a full and sufficient discharge to the depositary for the payment over of such money and such payment is a full and complete discharge to the depositary making it and for any claim to such payment by any person who claims to be entitled to the funds.

(8) Where a depositary fails to deduct, withhold and remit Idem an amount as required by subsection (2), the depositary is liable to the Crown for the amount that should have been deducted, withheld and remitted.

(9) The terms of an Ontario home ownership savings plan may permit a depositary, on a transfer, payment or release of the assets of the plan, to deduct any fees or charges payable by the planholder to the depositary in connection with the operation or administration of the plan from the assets of the plan remaining after the deduction of any amount required to be deducted under subsection (2). Administration fee

10.—(1) Where the Minister determines that, Proposal to close plan

- (a) a home ownership savings plan purporting to be an Ontario home ownership savings plan has failed to comply with the requirements of section 2;
- (b) a contribution made to an Ontario home ownership savings plan was not a qualifying contribution by reason of clause 3 (3) (a), (b) or (d);
- (c) the planholder of an Ontario home ownership savings plan owns or owned at any time an interest in an eligible home;
- (d) the spouse of a planholder of an Ontario home ownership savings plan with whom the planholder resides, or from whom the planholder lives separate and apart for reasons other than marriage breakdown, owns or owned, at any time when the planholder and the spouse were married, an interest in an eligible home; or

- (e) the assets of the plan are not held in the form of qualified investments,

the Minister may serve on the planholder and the depositary of the plan, by ordinary mail or by personal service, a notice of proposal to close the plan, together with written reasons therefor.

Consent to
release after
proposal

(2) Where the Minister has served a proposal under subsection (1), the depositary shall not release any assets of the plan to any person without obtaining the prior written consent of the Minister to the release.

Objection

(3) Where the planholder objects to a proposal served under subsection (1), the planholder may, within sixty days from the date of mailing of the proposal, serve on the Minister by registered mail addressed to the Minister a notice of objection in duplicate in the prescribed form setting out the reasons for the objection and all relevant facts.

Closing of
plan

(4) Where no notice of objection is served under subsection (3), the Minister may carry out the proposal to close the plan by serving on the planholder and the depositary, by ordinary mail or personal service, a notice of closing of the plan.

Recovery of
tax credits

(5) Where the Minister serves a notice of closing under subsection (4),

- (a) the planholder shall be deemed, for the purposes of section 9, to have received all the assets of the plan on the day of mailing of the notice of closing;
- (b) the depositary shall deduct, withhold and remit to the Minister under subsection 9 (2),
 - (i) where the Minister specifies in the notice of closing an amount to be deducted, withheld and remitted, such amount in lieu of the amount otherwise required under subsection 9 (2), and
 - (ii) where the Minister does not specify in the notice of closing an amount to be deducted, withheld and remitted, the amount required to be deducted, withheld and remitted under subsection 9 (2); and
- (c) where the Minister specifies in the notice of closing an amount to be deducted, withheld and remitted by the depositary of the plan, the notice of closing

shall be deemed, for the purposes of sections 9 and 12, to be a notice of determination of tax credit recovery and interest sent to the planholder under subsection 9 (3).

11. In the event that a planholder under an Ontario home ownership savings plan has not obtained a release of the assets of the plan under section 5 and completed, on or before the 31st day of December, 1999, the purchase of property that will be a qualifying eligible home, the planholder shall be deemed, for the purposes of section 9, to have received all the assets of the plan on the 1st day of January, 2000.

Deemed receipt of assets of plan on 1st day of January, 2000

12.—(1) Where, after the assets of an Ontario home ownership savings plan have been released under section 5 and used in the purchase of property, the Minister determines that,

Tax credit recovery after release of assets of plan

- (a) the Ontario home ownership savings plan failed to comply with the requirements of section 2;
- (b) a contribution made to the Ontario home ownership savings plan was not a qualifying contribution by reason of clause 3 (3) (a), (b) or (d);
- (c) the planholder of the Ontario home ownership savings plan owned an interest in an eligible home at any time before the purchase of the property;
- (d) a spouse of the planholder of the Ontario home ownership savings plan with whom the planholder resided at the time of the purchase of the property, or from whom the planholder lived separate and apart for reasons other than marriage breakdown, owned, at any time before the purchase of the property and while the planholder and the spouse were married, an interest in an eligible home; or
- (e) the assets of the plan were used in the purchase of property,
 - (i) that was not a qualifying eligible home, or
 - (ii) from a person who, at the time of the purchase, did not deal, within the meaning of section 251 of the *Income Tax Act* (Canada), at arm's length with the planholder, for a consideration less than the value of the assets of the plan at the time of the release of the assets of the plan under section 5,

R.S.C. 1952, c. 148

the Minister may serve, on the former planholder of the plan, by ordinary mail or by personal service, a notice of determination of tax credit recovery and interest, together with written reasons therefor.

Idem

(2) Where a notice of determination of tax credit recovery and interest has been served under subsection (1), the former planholder of the plan shall be deemed, for the purposes of subsections 9 (1), (4) and (6), to have received all of the assets of the plan on the date the assets of the plan were released under section 5 by the depositary thereof and shall be liable to pay to the Treasurer the amount determined under subsection 9 (1).

Objection

(3) Where a planholder or former planholder objects to a notice served under subsection (1) or 9 (3), the planholder or former planholder may, within sixty days from the day of mailing of the notice, serve on the Minister, by registered mail addressed to the Minister, a notice of objection in duplicate in the prescribed form setting out the reasons for the objection and all relevant facts.

Idem

(4) The Minister may accept a notice of objection under this section or section 10 notwithstanding that it was not served in the manner required.

Reconsideration

(5) Upon receipt of a notice of objection served under this section or section 10, the Minister shall, with all due dispatch, reconsider the proposal or determination objected to and confirm, vary or abandon the proposal or determination, and the Minister shall thereupon notify the planholder or former planholder making the objection of his or her action by registered mail.

Where decision final

(6) A decision of the Minister under subsection (5) is final and is not subject to appeal except where the decision involves the interpretation of a provision of this Act or the *Income Tax Act*, or involves an issue solely of law.

R.S.O. 1980,
c. 213

Determination of question

(7) In any dispute over a decision or action of the Minister under subsection (5), the Minister may, where the dispute involves the interpretation of a provision of this Act or the *Income Tax Act*, or involves an issue solely of law in which no facts are in dispute, or involves the proper inference to be drawn from facts that are not in dispute, agree in writing with the disputing party as to the undisputed facts and thereafter apply to the Divisional Court to have the issue in dispute determined, and if the Minister does not make the application within six weeks of the date upon which the undisputed facts

have been agreed upon in writing, the other party to the dispute may apply to the court to have the issue determined.

13.—(1) Upon default of payment by any person of any amount owing by the person to the Treasurer under this Act, Action to collect

(a) the Minister may bring an action for the recovery thereof in any court in which a debt or money demand of a similar nature may be collected, and every such action shall be brought and executed in and by the name of the Minister or the Minister's name of office and may be continued by the Minister's successor in office as if no change had occurred, and shall be tried without a jury; and

(b) the Minister may issue a warrant directed to the sheriff of any county or district in which any property of the person is located or situate, for the amount owing, including interest if applicable, by the person, together with interest thereon from the date of the issue of the warrant and the costs, expenses and poundage of the sheriff, and the warrant has the same force and effect as a writ of seizure and sale issued out of the Supreme Court of Ontario.

(2) For the purpose of any proceeding taken under this Act, the facts necessary to establish compliance on the part of the Minister with this Act as well as the failure of any person to comply with this Act shall, unless evidence to the contrary satisfactory to the court is adduced, be sufficiently proved in any court of law by affidavit of the Minister or of any officer of the Ministry of Revenue. Idem

(3) Section 34 of the *Retail Sales Tax Act*, which relates to garnishment, applies with necessary modifications with respect to amounts payable to the Treasurer under this Act. Garnishment
R.S.O. 1980,
c. 454

(4) Where the Minister considers it advisable, the Minister may accept security for the payment of any amount payable under this Act in any form that the Minister considers satisfactory. Acceptance
of security

(5) The use of any of the remedies provided by this Act does not bar or affect any of the other remedies herein provided, and the remedies provided by this Act for the recovery or enforcement of the payment of an amount payable under this Act are in addition to any other remedies existing at law. Idem

Duty to keep records

R.S.O. 1980,
c. 97

14.—(1) Every depositary under this Act shall keep the prescribed records at its permanent establishment in Ontario, as defined in the *Corporations Tax Act*, or at its place of business in Ontario, or at such other place of business as is designated by the Minister in respect of any particular depositary, in the form and containing such information as will enable the Minister to determine that this Act and the regulations have been complied with.

Failure to keep records

(2) Where the depositary has failed to keep adequate records for the purposes of this Act, the Minister may require the depositary to keep such records as may be specified by the Minister.

Retention of records

(3) Every depositary required by this section to keep records shall, until permission for their disposal is given by the Minister, retain each such record and every account and voucher necessary to verify the information in each such record.

Audit

15.—(1) Any person authorized by the Minister for any purpose relating to the administration or enforcement of this Act may at all reasonable times enter into any premises or place where any business is carried on or any property is kept or anything is done in connection with any business or where records are or should be kept pursuant to this Act, and,

R.S.O. 1980,
c. 213

(a) audit or examine the books and records and any account, voucher, letter, telegram or other document that relates or may relate to the information that is or should be in the books or records or the amount of any tax credit paid or payable under the *Income Tax Act* in connection with this Act;

R.S.O. 1980,
c. 213

(b) examine any property, process or matter, an examination of which may, in his or her opinion, assist the person in determining the accuracy of any application required by this Act or ascertaining the information that is or should be in the books and records or in the application, or the amount of any tax credit under the *Income Tax Act* in connection with this Act; and

(c) require any person on the premises to give him or her all reasonable assistance with the audit or examination and to answer all questions relating to the audit or examination either orally or, if so required, in writing, on oath or statutory declaration and, for that purpose, require the person to attend at the premises or place with him or her.

(2) The Minister may, for any purpose relating to the administration and enforcement of this Act, by registered letter or by a demand served personally, require from any depositary or from any officer, director or agent thereof, or from any other person,

Demand for information

- (a) any information or additional information or any required or prescribed form; or
- (b) production, or production on oath or affirmation, of books, letters, accounts, invoices, statements, financial or otherwise, or other documents,

within such reasonable time as is stipulated in the letter or demand.

(3) Where a book, record or other document has been examined or produced under this section, the person by whom it is examined or to whom it is produced or any officer of the Ministry of Revenue may make, or cause to be made, one or more copies thereof and a document purporting to be certified by the Minister or by a person thereunto authorized by the Minister to be a copy made pursuant to this section is admissible in evidence and has the same probative value as the original document would have had if it had been proven in the ordinary manner.

Copies

(4) No person shall hinder, molest or interfere with any person doing anything that he or she is authorized by this section to do or prevent or attempt to prevent any person doing any such thing and, notwithstanding any other law to the contrary, every person shall, unless he or she is unable to do so, do everything he or she is required by this section to do.

Duty to comply

(5) Any officer or employee of the Ministry of Revenue who is authorized by the Minister may administer oaths and take or receive affidavits, declarations or affirmations for the purpose of or incidental to the administration or enforcement of this Act, and every person so authorized has, in respect of any such oath, affidavit, declaration or affirmation, all the powers of a commissioner for taking affidavits.

Administration of oaths

16. Every person employed directly or indirectly in the administration or enforcement of this Act or the *Income Tax Act*, or in the development and evaluation of tax policy for the Government of Ontario, shall preserve secrecy with respect to all matters related to this Act that come to his or her knowledge in the course of such employment and shall not communicate any information or material related to any such matter to any other person not legally entitled thereto except,

Confidentiality
R.S.O. 1980,
c. 213

R.S.O. 1980,
c. 21.3

R.S.C. 1952,
c. 148

- (a) as may be required in connection with the administration or enforcement of this Act, the *Income Tax Act* or any other Act administered by the Minister or the *Income Tax Act* (Canada) or the regulations under any of them;
- (b) as may be required in connection with the development and evaluation of tax policy by the Government of Ontario or the Government of Canada;
- (c) to his or her counsel; or
- (d) with the consent of the person to whom the information or material relates.

Offences

17.—(1) Any person who contravenes any provision of this Act or the regulations is guilty of an offence and, upon conviction, is liable, where no other penalty is provided for the offence, to a fine of not less than \$50 and not more than \$2,000.

False
statements

(2) Every person who,

- (a) makes, participates in, assents to or acquiesces in the making of a statement in any document required by or for the purposes of this Act or the regulations that, at the time and in the light of the circumstances under which it was made, is false or misleading in respect of any material fact or that omits to disclose any material fact the omission of which makes the statement false or misleading;
- (b) makes, assents to, participates in or acquiesces in the making of false or misleading entries, or omits to, or assents to or participates or acquiesces in the omission of entering a material particular, in records required to be maintained under this Act or the regulations;
- (c) knowingly converts to his or her own use a payment of a tax credit under the *Income Tax Act* in respect of a contribution to an Ontario home ownership savings plan to which he or she was not entitled; or
- (d) conspires with any person to commit an offence described in clause (a), (b) or (c),

R.S.O. 1980,
c. 21.3

is guilty of an offence and on conviction is liable to a fine of not more than \$2,000, or if such person is a corporation, to a fine of not more than \$20,000.

(3) No person is guilty of an offence under clause (2) (a) or (b) if he or she did not know, and in the exercise of due diligence could not have known, that the statement or entry was false or misleading or the omission makes a statement or record false or misleading. Exception

(4) Subsections 49 (1), (2), (4), (5), (6), (7), (9) and (11) of the *Income Tax Act* apply with necessary modifications for the purposes of this Act. Idem
R.S.O. 1980,
c. 213

18. Proceedings to enforce any provision of this Act with respect to an Ontario home ownership savings plan may be commenced not later than six years after, Limitation

- (a) where the assets of the plan have been released under section 5, the date of the release; and
- (b) where the planholder of the plan receives any assets of the plan or is deemed by this Act to have received any assets of the plan, the date when the assets of the plan are received or deemed to have been received.

19.—(1) The Lieutenant Governor in Council may make regulations, Regulations

- (a) defining any word or expression used in this Act that has not already been expressly defined in this Act;
- (b) prescribing any matter required by this Act to be prescribed by the regulations;
- (c) prescribing rates of interest for the purposes of this Act or a formula for computing the rates and the method of calculating the interest;
- (d) increasing or decreasing the percentage referred to in subsection 9 (2) in all circumstances or in prescribed circumstances, and prescribing circumstances where no amount is required to be deducted, withheld and remitted under subsection 9 (2);
- (e) prescribing forms and providing for their use;
- (f) prescribing information to be obtained from planholders by depositories in connection with or for the purposes of this Act;

- (g) requiring any person to make information returns respecting any class of information required by the Minister in the administration of this Act or in determining compliance with this Act;
- (h) providing for the review and approval of specimen Ontario home ownership savings plans.

May be
retroactive

(2) A regulation is, if it so provides, effective with reference to a period before it was filed.

Commence-
ment

20. This Act comes into force on the earlier of,

- (a) the day on which it receives Royal Assent; or
- (b) the 1st day of September, 1988.

Short title

21. The short title of this Act is the *Ontario Home Ownership Savings Plan Act, 1988*.

CHAPTER 36

An Act to amend the Child and Family Services Act, 1984

Assented to June 22nd, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 40 (2) of the *Child and Family Services Act, 1984*, being chapter 55, is repealed and the following substituted therefor:

(2) A justice of the peace may issue a warrant authorizing a child protection worker to bring a child to a place of safety if the justice of the peace is satisfied on the basis of a child protection worker's sworn information that there are reasonable and probable grounds to believe that,

Warrant to
apprehend
child

- (a) the child is in need of protection; and
- (b) a less restrictive course of action is not available or will not protect the child adequately.

(2a) A justice of the peace shall not refuse to issue a warrant under subsection (2) by reason only that the child protection worker may bring the child to a place of safety under subsection (6). Idem

(2) Subsection 40 (4) of the said Act is amended by adding at the end thereof "or to specify the premises where the child is located".

(3) Subsection 40 (5) of the said Act is amended by striking out "the" in the third line and inserting in lieu thereof "any".

(4) Clause 40 (6) (a) of the said Act is repealed and the following substituted therefor:

- (a) a child is in need of protection; and

(5) Subsections 40 (10) to (17) of the said Act are repealed and the following substituted therefor:

Right of entry, etc.

(10) A child protection worker who believes on reasonable and probable grounds that a child referred to in subsection (6) is on any premises may without a warrant enter the premises, by force, if necessary, and search for and remove the child.

Regulations re power of entry

(11) A child protection worker authorized to enter premises under subsection (5) or (10) shall exercise the power of entry in accordance with the regulations.

Peace officer has powers of child protection worker

(12) Subsections (2), (5), (6), (9), (10) and (11) apply to a peace officer as if the peace officer were a child protection worker.

Protection from personal liability

(13) No action shall be instituted against a peace officer or child protection worker for any act done in good faith in the execution or intended execution of that person's duty under this section or for an alleged neglect or default in the execution in good faith of that duty.

2. The said Act is amended by adding thereto the following sections:

SPECIAL CASES OF APPREHENSION OF CHILDREN

Warrant to apprehend child in care

40a.—(1) A justice of the peace may issue a warrant authorizing a peace officer or child protection worker to bring a child to a place of safety if the justice of the peace is satisfied on the basis of a peace officer's or child protection worker's sworn information that,

- (a) the child is actually or apparently under the age of sixteen years and has left or been removed from a society's lawful care and custody without its consent; and
- (b) there are reasonable and probable grounds to believe that there is no course of action available other than bringing the child to a place of safety that would adequately protect the child.

Idem

(2) A justice of the peace shall not refuse to issue a warrant to a person under subsection (1) by reason only that the person may bring the child to a place of safety under subsection (4).

No need to specify premises

(3) It is not necessary in a warrant under subsection (1) to specify the premises where the child is located.

(4) A peace officer or child protection worker who believes on reasonable and probable grounds that,

Apprehension of child in care without warrant

- (a) a child is actually or apparently under the age of sixteen years and has left or been removed from a society's lawful care and custody without its consent; and
- (b) there would be a substantial risk to the child's health or safety during the time necessary to obtain a warrant under subsection (1),

may without a warrant bring the child to a place of safety.

(5) Where a child is detained under this Part in a place of safety that has been designated as a place of open temporary detention as defined in Part IV (Young Offenders) and leaves the place without the consent of,

Apprehension of child absent from place of open temporary detention

- (a) the society having care, custody and control of the child; or
- (b) the person in charge of the place of safety,

a peace officer, the person in charge of the place of safety or that person's delegate may apprehend the child without a warrant.

(6) A person who apprehends a child under subsection (5) shall, Idem

- (a) take the child to a place of safety to be detained until the child can be returned to the place of safety the child left; or
- (b) return the child or arrange for the child to be returned to the place of safety the child left.

40b.—(1) A peace officer who believes on reasonable and probable grounds that a child actually or apparently under twelve years of age has committed an act in respect of which a person twelve years of age or older could be found guilty of an offence may apprehend the child without a warrant and on doing so,

Apprehension of child under twelve

- (a) shall return the child to the child's parent or other person having charge of the child as soon as practicable; or

- (b) where it is not possible to return the child to the parent or other person within a reasonable time, shall take the child to a place of safety to be detained there until the child can be returned to the parent or other person.

Notice to
parent, etc.

(2) The person in charge of a place of safety in which a child is detained under subsection (1) shall make reasonable efforts to notify the child's parent or other person having charge of the child of the child's detention so that the child may be returned to the parent or other person.

Where child
not returned
to parent,
etc., within
twelve hours

(3) Where a child detained in a place of safety under subsection (1) cannot be returned to the child's parent or other person having charge of the child within twelve hours of being taken to the place of safety, the child shall be dealt with as if the child had been taken to a place of safety under subsection 40 (6) and not apprehended under subsection (1).

Definition

40c.—(1) In this section, “parent” includes,

- (a) an approved agency that has custody of the child;
- (b) a person who has care and control of the child.

Warrant to
apprehend
runaway
child

(2) A justice of the peace may issue a warrant authorizing a peace officer or child protection worker to apprehend a child if the justice of the peace is satisfied on the basis of the sworn information of a parent of the child that,

- (a) the child is under the age of sixteen years;
- (b) the child has withdrawn from the parent's care and control without the parent's consent; and
- (c) the parent believes on reasonable and probable grounds that the child's health or safety may be at risk if the child is not apprehended.

Idem

(3) A person who apprehends a child under subsection (2) shall return the child to the child's parent as soon as practicable and where it is not possible to return the child to the parent within a reasonable time, take the child to a place of safety.

Notice to
parent, etc.

(4) The person in charge of a place of safety to which a child is taken under subsection (3) shall make reasonable efforts to notify the child's parent that the child is in the place of safety so that the child may be returned to the parent.

(5) Where a child taken to a place of safety under subsection (3) cannot be returned to the child's parent within twelve hours of being taken to the place of safety, the child shall be dealt with as if the child had been taken to a place of safety under subsection 40 (2) and not apprehended under subsection (2).

Where child not returned to parent within twelve hours

(6) A justice of the peace shall not issue a warrant under subsection (2) where a child has withdrawn from the care and control of one parent with the consent of another parent under circumstances where a proceeding under section 37 of the *Children's Law Reform Act* would be more appropriate.

Where custody enforcement proceedings more appropriate R.S.O. 1980, c. 68

(7) It is not necessary in a warrant under subsection (2) to specify the premises where the child is located.

No need to specify premises

(8) Where a peace officer or child protection worker believes on reasonable and probable grounds that a child apprehended under this section is in need of protection and there may be a substantial risk to the health or safety of the child if the child were returned to the parent,

Child protection proceedings

(a) the peace officer or child protection worker may take the child to a place of safety under subsection 40 (6); or

(b) where the child has been taken to a place of safety under subsection (5), the child shall be dealt with as if the child had been taken there under subsection 40 (6).

POWER OF ENTRY AND OTHER PROVISIONS FOR SPECIAL
CASES OF APPREHENSION

40d.—(1) A person authorized to bring a child to a place of safety by a warrant issued under subsection 40a (1) or 40c (2) may at any time enter any premises specified in the warrant, by force, if necessary, and may search for and remove the child.

Authority to enter, etc.

(2) A person authorized under subsection 40a (4) or (5) or 40b (1) who believes on reasonable and probable grounds that a child referred to in the relevant subsection is on any premises may without a warrant enter the premises, by force, if necessary, and search for and remove the child.

Right of entry, etc.

(3) A person authorized to enter premises under this section shall exercise the power of entry in accordance with the regulations.

Regulations re power of entry

Police
assistance

(4) A child protection worker acting under section 40a or 40c may call for the assistance of a peace officer.

Consent to
examine child

(5) A child protection worker who deals with a child under subsection 40b (3) or 40c (5) as if the child had been taken to a place of safety may authorize the child's medical examination where a parent's consent would otherwise be required.

Place of
open
temporary
detention

(6) Where a person who brings a child to a place of safety under section 40a or 40b believes on reasonable and probable grounds that no less restrictive course of action is feasible, the child may be detained in a place of safety that is a place of open temporary detention as defined in Part IV (Young Offenders).

Protection
from
personal
liability

(7) No action shall be instituted against a peace officer or child protection worker for any act done in good faith in the execution or intended execution of that person's duty under this section or section 40a, 40b or 40c or for an alleged neglect or default in the execution in good faith of that duty.

3. Subsection 42 (2) of the said Act is amended by striking out "under subsection 43 (1) (child protection hearing)" in the fourth and fifth lines.

4. Subsection 43 (1) of the said Act is amended by inserting after "40 (1)" in the second line "or a matter is brought before the court".

5. Section 48 of the said Act is amended by inserting after "40 (1)" in the first line "or a matter is brought before the court".

6. Subsection 74 (2) of the said Act is amended by inserting after "40" in the second line "or 40d".

7. Subsections 75 (5) and (6) of the said Act are repealed and the following substituted therefor:

Allowing
child to
loiter, etc.

(5) No parent of a child less than sixteen years of age shall permit the child to,

- (a) loiter in a public place between the hours of midnight and 6 a.m.; or
- (b) be in a place of public entertainment between the hours of midnight and 6 a.m., unless the parent accompanies the child or authorizes a specified individual eighteen years of age or older to accompany the child.

(6) Where a child who is actually or apparently less than sixteen years of age is in a place to which the public has access between the hours of midnight and 6 a.m. and is not accompanied by a person described in clause (5) (b), a peace officer may apprehend the child without a warrant and proceed as if the child had been apprehended under subsection 40b (1).

Police may take child home or to place of safety

8. Clause 80 (b) of the said Act is repealed and the following substituted therefor:

- (b) obstruct, interfere with or attempt to obstruct or interfere with a child protection worker or a peace officer who is acting under section 40, 40a, 40b, 40c or 40d.

9. Subsection 89 (2) of the said Act is repealed and the following substituted therefor:

(2) A provincial director may detain a young person in a place of secure temporary detention if the circumstances described in paragraph 1 or 2 apply to the young person and if the provincial director is satisfied that it is necessary to detain the young person in a place of secure temporary detention to ensure the young person's attendance in court or to protect the public interest or safety:

Where secure detention available

1. The young person is charged with an offence for which an adult would be liable to imprisonment for five years or more and,
 - i. the offence includes causing or attempting to cause serious bodily harm to another person,
 - ii. the young person has, at any time, failed to appear in court when required to do so under the federal Act or the *Juvenile Delinquents Act* (Canada) or escaped or attempted to escape from lawful detention, or
 - iii. the young person has, within the twelve months immediately preceding the offence on which the current charge is based, been convicted of an offence for which an adult would be liable to imprisonment for five years or more.
2. The young person is detained in a place of temporary detention and leaves or attempts to leave without the consent of the person in charge or is charged with having escaped or attempting to

R.S.C. 1970,
c. J-3

escape from lawful custody or being unlawfully at large under the *Criminal Code* (Canada).

R.S.C. 1970,
c. C 34

10.—(1) Subsections 94 (1), (2) and (3) of the said Act are repealed and the following substituted therefor:

Apprehen-
sion of young
person absent
from place of
temporary
detention
R.S.O. 1980,
c. 400

(1) A peace officer, the person in charge of a place of temporary detention or that person's delegate, who believes on reasonable and probable grounds that a young person detained under the federal Act or the *Provincial Offences Act* in a place of temporary detention has left the place without the consent of the person in charge and fails or refuses to return there may apprehend the young person with or without a warrant and take the young person or arrange for the young person to be taken to a place of temporary detention.

Idem: place
of open
custody

(2) A peace officer, the person in charge of a place of open custody or that person's delegate, who believes on reasonable and probable grounds that a young person held in a place of open custody as described in section 91,

- (a) has left the place without the consent of the person in charge and fails or refuses to return there; or
- (b) fails or refuses to return to the place of open custody upon completion of a period of temporary release under clause 91 (b),

may apprehend the young person with or without a warrant and take the young person or arrange for the young person to be taken to a place of open custody or a place of temporary detention.

Young
person to be
returned
within forty-
eight hours

(3) A young person who is apprehended under this section shall be returned to the place from which he or she is absent within forty-eight hours after being apprehended unless the provincial director detains the young person in secure temporary detention under paragraph 2 of subsection 89 (2).

(2) Subsections 94 (5) and (6) of the said Act are repealed and the following substituted therefor:

Authority to
enter, etc.

(5) Where a person authorized to apprehend a young person under subsection (1) or (2) believes on reasonable and probable grounds that a young person referred to in the relevant subsection is on any premises, the person may with or without a warrant enter the premises, by force, if necessary, and search for and remove the young person.

(6) A person authorized to enter premises under subsection (5) shall exercise the power of entry in accordance with the regulations.

Regulations re exercise of power of entry

11.—(1) Paragraph 2 of subsection 110 (1) of the said Act is amended by striking out “or” at the end of subparagraph ii and by adding thereto the following subparagraph:

- ii. a society that has custody of the child under an order made under Part III (Child Protection), if the child consents to the application, or
- .
- .
- .
- .
- .

(2) Subsections 110 (2) and (3) of the said Act are repealed and the following substituted therefor:

(2) Where an application is made under subsection (1), the court shall deal with the matter within ten days of the making of an order under subsection (5) (legal representation) or, where no such order is made, within ten days of the making of the application.

Time for hearing

(3) Section 110 of the said Act is amended by adding thereto the following subsections:

(4a) Where a hearing is adjourned, the court may make a temporary order for the child’s commitment to a secure treatment program if the court is satisfied that the child meets the criteria for commitment set out in clauses 113 (1) (a) to (f) and, where the child is less than twelve years old, the Minister consents to the child’s admission.

Interim order

(4b) For the purpose of subsection (4a), the court may admit and act on evidence that the court considers credible and trustworthy in the circumstances.

Evidence on adjournments

12. Subsection 111 (3) of the said Act is amended by striking out “a single 180 day” in the second line and inserting in lieu thereof “the”.

13. Subsection 112 (4) of the said Act is amended by adding thereto the following clause:

- (da) a society that has custody of the child under an order made under Part III (Child Protection).

14. Subsections 114 (1) and (2) of the said Act are repealed and the following substituted therefor:

Period of
commitment

(1) The court shall specify in an order under subsection 113 (1) the period not exceeding 180 days for which the child shall be committed to the secure treatment program.

Where
society is
applicant

(2) Where a child is committed to a secure treatment program on a society's application and the period specified in the court's order is greater than sixty days, the child shall be released on a day sixty days after the child's admission to the secure treatment program unless before that day,

- (a) the child's parent consents to the child's commitment for a longer period; or
- (b) the child is made a Crown or society ward under Part III (Child Protection),

but in no case shall the child be committed to the secure treatment program for longer than the period specified under subsection (1).

15.—(1) Section 116 of the said Act is amended by adding thereto the following subsection:

Idem

(1a) Where a person is kept in the secure treatment program under subsection 114 (4) after attaining the age of eighteen years,

- (a) the person, with the written consent of the administrator;
- (b) the person's parent, with the written consent of the person and the administrator;
- (c) a physician, with the written consent of the administrator and the person; or
- (d) the administrator, with the written consent of the person,

may, before the expiry of the period of commitment, apply for one further order extending the person's commitment to the secure treatment program.

(2) Subsection 116 (2) of the said Act is amended by inserting after "(1)" in the first line "or (1a)".

(3) Subsection 116 (3) of the said Act is amended by adding at the end thereof "or (1a)".

(4) Subsection 116 (5) of the said Act is repealed and the following substituted therefor:

(5) The court shall specify in an order under subsection 116 (4) the period not exceeding 180 days for which the child shall be committed to the secure treatment program. Period of extension

16. The said Act is further amended by adding thereto the following sections:

REVIEW OF COMMITMENT

117a.—(1) Any one of the following persons may apply to the court for an order terminating an order made under subsection 113 (1) (commitment) or 116 (4) (extension): Review of commitment

1. The child, where the child is twelve years of age or more.
2. The child's parent.
3. The society having care, custody or supervision of the child.

(2) Subsections 110 (4), (5), (6), (7) and (8) (hearing) and sections 111 (child's waiver) and 112 (assessment) apply with necessary modifications to an application made under subsection (1). ss. 110 (4-8),
111, 112
apply

(3) The court shall make an order terminating a child's commitment unless the court is satisfied that, Termination of order

- (a) the child has a mental disorder;
- (b) the secure treatment program would continue to be effective to prevent the child from causing or attempting to cause serious bodily harm to himself, herself or another person;
- (c) no less restrictive method of providing treatment appropriate for the child's mental disorder is appropriate in the circumstances; and
- (d) the child is receiving the treatment proposed at the time of the most recent order under subsection 113 (1) or 116 (4), or other appropriate treatment.

(4) In making an order under subsection (3), the court shall consider whether there is an appropriate plan for the child's care on release from the secure treatment program. Idem

ss. 116 (2-5),
117, 117a
apply

117b. Subsections 116 (2), (3), (4) and (5) and sections 117 and 117a apply with necessary modifications to a person who is eighteen years of age or older and committed to a secure treatment program as if the person were a child.

17.—(1) Paragraph 2 of subsection 118 (1) of the said Act is amended by striking out “or” at the end of subparagraph ii and by adding thereto the following subparagraph:

- ia. a society that has custody of the child under an order made under Part III (Child Protection), if the child consents to the application, or

(2) Subsection 118 (2) of the said Act is amended by inserting after “subsection (1)” in the second line “for a period not to exceed thirty days”.

(3) Clause 118 (2) (b) of the said Act is repealed and the following substituted therefor:

- (b) the child has, as a result of the mental disorder, caused, attempted to cause or by words or conduct made a substantial threat to cause serious bodily harm to himself, herself or another person.

(4) Subsection 118 (6) of the said Act is repealed and the following substituted therefor:

Notices
required

(6) The administrator shall ensure that within twenty-four hours after a child is admitted to a secure treatment program under subsection (2),

- (a) the child is given written notice of his or her right to a review under subsection (9); and
- (b) the Office of Child and Family Service Advocacy and the Official Guardian are given notice of the child’s admission.

Mandatory
advice

(7) The Office of Child and Family Service Advocacy shall ensure that forthwith after the notice is received a person who is not employed by the secure treatment facility explains to the child his or her right to a review in language suitable for the child’s level of understanding.

Official
Guardian to
ensure child
represented

(8) The Official Guardian shall represent the child at the earliest possible opportunity and in any event within five days

after receiving a notice under subsection (6) unless the Official Guardian is satisfied that another person will provide legal representation for the child within that time.

(9) Where a child is admitted to a secure treatment program under this section, any person, including the child, may apply to the Board for an order releasing the child from the secure treatment program.

Application
for review

(10) Where an application is made under subsection (9), the child may be kept in the secure treatment program until the application is disposed of.

Child may be
kept in
program
while
application
pending
Procedure

(11) Subsections 110 (6), (7) and (8) (hearing) and section 111 (waive oral evidence) apply with necessary modifications to an application made under subsection (9).

(12) Where an application is made under subsection (9), the Board shall dispose of the matter within five days of the making of the application.

Time for
review

(13) The Board shall make an order releasing the child from the secure treatment program unless the Board is satisfied that the child meets the criteria for emergency admission set out in clauses 118 (2) (a) to (e).

Order

18. Section 119 of the said Act is amended by adding thereto the following subsections:

(2) Where a child who has been admitted to a secure treatment program leaves the facility in which the secure treatment program is located without the consent of the administrator, a peace officer may apprehend the child with or without a warrant and return the child to the facility.

Apprehen-
sion of child
who leaves

(3) Where a child is returned to a facility under subsection (2), the time that the child was absent from the facility shall not be taken into account in calculating the period of commitment.

Period of
commitment

19. Subsection 125 (2) of the said Act is amended by inserting after "child" in the third line "who has been admitted to a secure treatment program under this Part".

20. Clause 126 (2) (c) of the said Act is amended by striking out "any" in the first line and inserting in lieu thereof "the".

21. The said Act is further amended by adding thereto the following section:

Definition

166a.—(1) In this section, “record of a mental disorder” means a record or a part of a record made about a person concerning a substantial disorder of emotional processes, thought or cognition of the person which grossly impairs the person’s capacity to make reasoned judgments.

Disclosure
pursuant to
subpoena

(2) A service provider shall disclose, transmit or permit the examination of a record of a mental disorder pursuant to a subpoena, order, direction, notice or similar requirement in respect of a matter in issue or that may be in issue in a court of competent jurisdiction or under any Act unless a physician states in writing that he or she believes that to do so,

(a) is likely to result in harm to the treatment or recovery of the person to whom the record relates;
or

(b) is likely to result in,

(i) injury to the mental condition of another person, or

(ii) bodily harm to another person.

Hearing to
be held

(3) The court before which a matter described in subsection (2) is in issue on motion or, where a disclosure, transmittal or examination is not required by a court, the Divisional Court on motion shall determine whether the record referred to in the physician’s statement should be disclosed, transmitted or examined.

Idem

(4) A motion under subsection (3) shall be on notice to the physician and shall be held in the absence of the public.

Consideration
of court

(5) In a motion under subsection (3), the court shall consider whether or not the disclosure, transmittal or examination of the record referred to in the physician’s statement is likely to have a result described in clause (2) (a) or (b) and for the purpose the court may examine the record.

Order of
court

(6) The court shall not order that the record referred to in the physician’s statement be disclosed, transmitted or examined if the court is satisfied that a result described in clause (2) (a) or (b) is likely unless satisfied that to do so is essential in the interests of justice.

(7) Where a record of a mental disorder is required under this section, the clerk of the court or body in which it is admitted in evidence or, if not so admitted, the person to whom the record is transmitted shall return the record to the service provider forthwith after the determination of the matter in issue in respect of which the record was required.

Return of
record to
service
provider

22.—(1) Clause 199 (a) of the said Act is amended by striking out “(14)” in the second line and inserting in lieu thereof “(10) and section 40d”.

(2) Section 199 of the said Act is amended by adding thereto the following clause:

(h) prescribing forms and providing for their use.

23. Clause 200 (1) (m) of the said Act is amended by striking out “by a warrant issued under subsection 94 (4)” in the second line and inserting in lieu thereof “under subsection 94 (5)”.

24.—(1) Clause 202 (a) of the said Act is amended by striking out “children” in the first line and inserting in lieu thereof “persons”.

(2) Clause 202 (i) of the said Act is amended by striking out “or combinations of drugs” in the first line and inserting in lieu thereof “combinations of drugs or classes of drugs”.

25. A child who is a patient in a psychiatric facility under a certificate of involuntary admission under the *Mental Health Act* on the day this section comes into force and who is in premises where a secure treatment program has been established or approved shall be deemed to have been committed to the secure treatment program under section 113 for a period that ends when the certificate expires.

Transition
R.S.O. 1980,
c. 262

26. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Commence-
ment

27. The short title of this Act is the *Child and Family Services Amendment Act, 1988*.

Short title

CHAPTER 37

An Act to amend the Execution Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 10 (1) of the *Execution Act*, being chapter 146 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

(1) Subject to the *Land Titles Act* and to section 11, a writ of execution binds the goods and lands against which it is issued from the time it has been received for execution and recorded by the sheriff.

Writs against
lands and
goods
R.S.O. 1980,
c. 230

(1a) Notwithstanding subsection (1), no writ of execution against goods other than bills of sale and instruments in the nature of chattel mortgages prejudices the title to such goods acquired by a person in good faith and for valuable consideration unless such person at the time of acquiring title had notice that such writ or any other writ by virtue of which the goods of the execution debtor might be seized or attached has been delivered to the sheriff and remains in the sheriff's hands unexecuted.

Exception

(2) Subsection 10 (2) of the said Act is repealed and the following substituted therefor:

(2) The sheriff shall keep an index or a book in which shall be entered a record of all writs and renewals received.

Index to be
kept

2. Subsection 11 (2) of the said Act is amended by striking out "filed" in the fifth line and inserting in lieu thereof "received for execution and recorded by the sheriff".

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. The short title of this Act is the *Execution Amendment Act, 1988*.

Short title

CHAPTER 38

An Act to regulate Motor Vehicle Repairs

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“customer” means an individual who contacts a repairer for an estimate, work or repairs to a vehicle;

“estimate” means an estimate of the total cost of work on and repairs for a vehicle;

“repairer” means a person who works on or repairs vehicles for compensation;

“vehicle” means a motor vehicle as defined in the *Highway Traffic Act*. R.S.O. 1980,
c. 198

2.—(1) Where a customer asks for a written estimate, no repairer shall charge for any work on or repairs to a vehicle unless the repairer first gives the customer an estimate, in writing, of the cost of the work on or repairs to the customer’s vehicle. Estimates

(2) An estimate given under subsection (1) must include, Idem

- (a) the name and address of both the customer and repairer;
- (b) the make, model, vehicle identification number and licence number of the vehicle;
- (c) a description of the work or repairs to be made to the vehicle;
- (d) the parts to be installed and a statement as to whether they will be new, used or reconditioned;
- (e) the price of the parts to be installed;

- (f) the number of hours to be billed, the hourly rate and the total cost of labour;
- (g) the total amount to be billed; and
- (h) the date the estimate is given and the date after which it ceases to apply.

Estimate fee

3.—(1) No person shall charge a fee for an estimate unless the customer is told in advance that a fee will be charged and the amount of the fee.

Idem

(2) A fee for an estimate shall be deemed to include the cost of diagnostic time and the cost of reassembling the vehicle and the cost of parts that will be damaged and must be replaced when reassembling if the work or repairs are not authorized by the customer.

Idem

(3) No person shall charge a fee for an estimate if the work or repairs in question are authorized and carried out.

Idem

(4) Despite subsection (3), a repairer may charge an estimate fee if the repairer is unable to obtain, without unreasonable delay, authorization to proceed with the work or repairs and the vehicle is reassembled before it is worked on or repaired so that it can be moved to free repair space.

Authorization
required

4.—(1) No person shall charge for any work on or repairs to a vehicle unless the customer authorizes the work or repairs.

Idem

(2) No person shall charge, for work or repairs for which an estimate was given, an amount that exceeds the estimate by more than 10 per cent.

Authorization
by telephone

5. An authorization for work or repairs that is given by telephone is not effective for the purpose of this Act unless the person receiving the authorization records,

- (a) the name and telephone number of the person giving the authorization; and
- (b) the date and time of the authorization.

Disclosure

6.—(1) Every repairer shall post signs as prescribed by the regulations in a conspicuous place clearly visible to prospective customers stating,

- (a) that written estimates are available on request;

- (b) whether there is a charge for an estimate;
- (c) the cost of computing labour charges including,
 - (i) the hourly rate,
 - (ii) whether a rate predetermining the length of time required for the work or repairs will be applied, and
 - (iii) whether any commissions are payable;
- (d) that replaced parts will be available to the customer after the work or repairs; and
- (e) the telephone number of the regional office of the Ministry of Consumer and Commercial Relations where complaints may be directed.

(2) Clause (1) (e) does not apply to a repairer who puts on all repair orders and invoices that go to consumers the telephone number of the regional office of the Ministry of Consumer and Commercial Relations to which complaints may be directed. Exception

7.—(1) Every repairer shall offer to return to the customer all parts removed from the vehicle in the course of work or repairs unless advised when the work or repairs are authorized that the customer does not require their return. Return of parts

(2) Every repairer shall keep parts removed from one vehicle separate from the parts removed from any other vehicle and, if their return is requested by the customer, shall return the parts in a clean container. Parts kept separate

- (3) Subsections (1) and (2) do not apply to parts, Exception
- (a) for which no charge has been made; or
 - (b) replaced under warranty whose return to the manufacturer or distributor is required.

8.—(1) The repairer shall, on completion of work or repairs, provide the customer with an invoice showing, Invoice

- (a) the name and address of both customer and repairer;
- (b) the make, model, vehicle identification number and licence number of the vehicle;

- (c) the date the vehicle is returned to the customer;
- (d) the odometer reading at the time of return;
- (e) a description of the work or repairs made to the vehicle;
- (f) the parts installed and whether they are new, used or reconditioned;
- (g) the price of the parts installed;
- (h) the number of hours billed, the hourly rate and the total cost of labour;
- (i) the total amount billed; and
- (j) the terms of the warranty.

Idem (2) Shop supplies that are charged to a customer and not included in normal operating costs shall be itemized on the invoice.

Idem (3) Subsection (1), excluding clauses (1) (g), (h) and (i), applies where work is done under a warranty for which there is no charge.

Warranty **9.—**(1) Every repairer warrants all new or reconditioned parts installed and the labour required to install them for a minimum of ninety days or 5,000 kilometres, whichever comes first.

Idem (2) The warranty on parts used in a motorcycle or motor assisted bicycle is thirty days or 1,500 kilometres, whichever comes first, and not as set out in subsection (1).

Idem (3) The person having charge of a vehicle that becomes inoperable or unsafe to drive because of the failure or inadequacy of work or repairs to which a warranty under this section applies may, where it is not reasonable to return the vehicle to the original repairer, have the failure or inadequacy repaired at the closest facility available for the work or repairs.

Idem (4) Where work or repairs are made under subsection (3), the person entitled to a warranty under this section is entitled, in addition to any other rights or recourse available at law, to recover from the repairer the original cost of the work or repairs and reasonable towing charges.

(5) A customer who subjects any part to misuse or abuse is not entitled to the benefit of the warranty on that part. Loss of warranty

(6) No repairer shall refuse to reimburse a customer because of the operation of subsection (5) unless the repairer has reasonable and probable grounds to believe that the part under warranty was subjected to misuse or abuse. Idem

(7) A customer who seeks to recover costs under this section shall return, upon the request and at the expense of the original repairer, the defective parts to the original repairer unless, in the circumstances, it is not reasonably possible for the customer to do so. Return of parts

(8) An original repairer who is required to make a payment under this section is entitled to recover from the supplier of a defective part any amount paid to the customer under subsection (4). Reimbursement

10. No person shall give an estimate or charge an amount for work or repairs that is greater than that usually given or charged by that person for the same work or repairs merely because the cost is to be paid, directly or indirectly, by an insurance company registered under the *Insurance Act*. Consistent cost

R.S.O. 1980,
c. 218

11.—(1) No charge made in contravention of this Act is collectable or payable. Illegal charges not payable

(2) Any payment of a charge that was levied in contravention of this Act or any entitlement under subsection 9 (4) is recoverable by the person that made the payment or by the warranty holder in a court of competent jurisdiction. Idem

12.—(1) Every person who contravenes any provision of this Act is guilty of an offence and on conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both. Offence

(2) Where a corporation is convicted of an offence under this Act, the maximum penalty that may be imposed upon the corporation is \$25,000 and not as provided in subsection (1). Idem

(3) Where a corporation has been convicted of an offence under this Act, Idem

(a) each director of the corporation; and

(b) each officer, employee or agent of the corporation who was in whole or in part responsible for the contravention,

is a party to the offence unless he or she satisfies the court that he or she did not authorize, permit or acquiesce in the offence.

Regulations

13. The Lieutenant Governor in Council may make regulations,

- (a) exempting any person or class of persons from the application of this Act or any provision of this Act;
- (b) prescribing conditions for any exemptions prescribed under clause (a);
- (c) prescribing size, form and style of signs for the purposes of section 6;
- (d) exempting any class of vehicle, repairer, customer, part or type of repair from the application of this Act or any provision of this Act and attaching conditions to any exemption.

Commence-
ment

14. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

15. The short title of this Act is the *Motor Vehicle Repair Act, 1988*.

CHAPTER 39

An Act to regulate Prepaid Services

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“contract” means a contract for services to which this Act applies;

“customer” means a person who enters into, or is discussing with an operator the prospect of entering into, a contract;

“initiation fee” means a fee in addition to the annual membership fee;

“membership fee” means the amount payable by a customer for the use of services;

“operator” means a person who provides or offers to provide services;

“payment” includes an initiation fee;

“services” means facilities provided for, or instruction on,

(a) health, fitness, modelling, talent development, diet or matters of a similar nature, or

(b) martial arts, sports, dance or similar activities.

2.—(1) This Act applies in respect of services or proposed services for which payment in advance is required. Application

(2) This Act does not apply in respect of services that are provided, Idem

(a) on a non-profit or co-operative basis;

(b) by a private club primarily owned by its members;

- (c) incidental to the main business of the operator;
- (d) by an operator funded or run by a charitable or municipal organization or by the Province of Ontario or any agency thereof;
- (e) for an amount less than that prescribed by regulation.

Idem

(3) This Act does not apply to a contract in force at the time this Act comes into force.

Contract required

3.—(1) No operator shall require or accept advance payment for services from a customer with whom the operator does not have a written contract that meets the conditions set out in section 4.

Payments repayable

(2) All payments received in contravention of subsection (1) are repayable to the person making the payments on demand by that person.

Information in contract

4.—(1) A contract must set out,

- (a) the name and address of the operator and the customer;
- (b) a description of the services contracted for by the customer that is sufficient to identify them with certainty;
- (c) the price of the services contracted for;
- (d) the conditions upon which the contract may be renewed, cancelled or rescinded;
- (e) if payment is to be by instalment, the number of instalments, the amount of each instalment and the total additional cost, if any, for payment by instalment; and
- (f) where any part of the services are not available at the time the contract is signed, the date that the services will be made available and the name and address of the person holding the trust funds pending availability.

Renewal of contracts

(2) A contract that provides for renewal must also provide that it is not renewable if the customer notifies the operator in writing, before the time for renewal, that the customer does not want to renew.

5. No contract may be made for a term longer than one year after the day that all the services are made available to the customer. Contracts for one year only

6.—(1) No contract may be made between two parties to an existing contract unless the subsequent contract is for services that are distinctly different from the services to be provided under the existing contract. Only one contract

(2) For the purposes of subsection (1), a different term or a different commencement date does not constitute a distinct difference in the services to be provided. Idem

7.—(1) No operator shall charge a customer more than one initiation fee. Initiation fee

(2) No operator shall charge an initiation fee that is greater than twice the annual membership fee. Idem

8.—(1) Every operator shall make available to customers at least one plan for instalment payments of membership and, where applicable, initiation fees whereby customers may make equal monthly payments over the term of the contract. Instalment plans

(2) In a plan for payments, the total amount paid by instalments shall not exceed the membership or initiation fee, if applicable, by more than 25 per cent. Idem

9.—(1) Any customer may rescind a contract by delivering written notice of rescission to the operator within five days after the contract is signed or the services are available, whichever is the later. Rescission

(2) A customer who rescinds a contract is not liable for payment for services received or used up to the rescission and is entitled to a refund of any payment made pursuant to the contract. Idem

(3) A notice of rescission sent to an operator by registered mail shall be deemed to be delivered on the day that it is mailed. Idem

10. Every operator who owes a refund shall pay the refund within twenty days, Refund

- (a) after receiving notice of rescission or cancellation, as the case may be; or

- (b) where subsection 13 (3) or (4) applies, after the day specified in the contract or the expiration of the last permission, whichever is the later.

Notice re
renewal

11.—(1) Where a contract provides for renewal and the operator does not deliver to the customer a notice reminding the customer of the provision required by subsection 4 (2), the provision for renewal does not apply.

Idem

(2) The notice under subsection (1) must be delivered at least thirty days before but not more than ninety days before the end of the contract.

Idem

(3) A notice under subsection (1) sent by registered mail to the customer at the last known address of the customer that the operator has shall be deemed to be delivered on the day that it is mailed.

Monthly
renewals

(4) Subsection (1) does not apply to a contract providing for successive monthly renewals where the customer has the option of cancelling on one month's notice or less.

Trust account

12. Every operator shall maintain a trust account designated by the name of the operator and the words "prepaid contract trust" at a bank, trust company, credit union or caisse populaire in which the operator shall place all funds received in respect of membership for a contract that may be rescinded under section 9.

Trustee

13.—(1) No operator shall receive payment from a customer for services that are not available at the time the payment is made except through a trust company registered under the *Loan and Trust Corporations Act, 1987* that has agreed to act as a trustee for the payment.

1987, c. 33

Exception

(2) Subsection (1) does not apply where one of the services that is not available is the use of the facility and the customer has agreed in writing to use another facility provided by the operator until the facility contracted for is available.

Facility not
available

(3) Where a facility is not available for use on the day specified in the contract, the trustee shall refund all payment received from the customer unless the customer agrees in writing to permit the trustee to retain the payment.

Extension

(4) No permission given under subsection (3) applies for longer than ninety days but a subsequent permission may be given on the expiration of a permission.

Duties of
trustee

(5) Where an operator has a trustee under subsection (1),

(a) any notice to the trustee shall be deemed to be notice to the operator as if the trustee were the operator; and

(b) any money payable by the operator is payable by the trustee to the extent that the trustee holds sufficient trust funds for that purpose.

(6) Every trustee under subsection (1) shall, upon receiving any payment from a customer, provide the customer with written confirmation of receipt of the payment and that the payment will be dealt with in accordance with this Act. Idem

(7) No trustee shall release to an operator funds received from a customer except in accordance with the trust agreement. Idem

14. A waiver by a customer of any provision of this Act is not valid. Waiver
invalid

15.—(1) Every person who contravenes any provision of this Act or the regulations is guilty of an offence and on conviction is liable to a fine of not less than \$2,000 and not more than \$25,000 or to imprisonment for a term of not more than one year, or to both, or if such person is a corporation, to a fine of not more than \$50,000. Penalty

(2) Where a corporation is guilty of an offence under this Act or the regulations, every director or officer of the corporation who authorized, permitted or acquiesced in the offence is also guilty of an offence and on conviction is liable to a fine of not less than \$2,000 and not more than \$25,000 or to imprisonment for a term of not more than one year, or to both. Idem

16. The Lieutenant Governor in Council may make regulations, Regulations

(a) defining any word or expression used in this Act;

(b) regulating the form of contracts including the size, type and colour of letters used therein;

(c) governing advertisement by operators;

(d) prescribing classes of operators;

(e) exempting any class of operator from the application of this Act or the regulations or any provision of this Act or the regulations;

- (f) prescribing an amount for the purposes of clause 2 (2) (e);
- (g) governing trusts set up for purposes of subsection 13 (1) and prescribing terms of trust agreements.

Commence-
ment

17. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

18. The short title of this Act is the *Prepaid Services Act, 1988*.

CHAPTER 40

An Act to amend the Consumer Reporting Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 10 (2) of the *Consumer Reporting Act*, being chapter 89 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

- (2) No person shall request or obtain a consumer report,
- (a) containing personal information about a consumer;
or
- (b) on the basis that the person is considering extending credit to a consumer who has not, at the time of the request, made application for credit,
- Notice of
intention to
get consumer
report

unless that person first gives written notice of the fact to the consumer and, where the consumer so requests, informs the consumer of the name and address of the consumer reporting agency supplying the report.

2. The said Act is amended by adding thereto the following section:

- 10a.**—(1) No person shall,
- (a) supply a list of names and criteria to a consumer reporting agency in order to obtain an indication of the names of the persons named in the list who meet the criteria; or
- (b) in any way other than as described in clause (a), obtain information about a consumer from a consumer reporting agency,
- Supplying list
of names

without first notifying in writing each person named on the list or about whom information is being obtained that such a list is being submitted or that information is being requested and,

where any person affected so requests, informing that person of the name and address of the agency involved.

Exception
where
compliance
with
subs. 10 (3)

(2) Clause (1) (b) does not apply to a person obtaining information about a consumer under subsection 10 (3) where the person has complied with subsection 10 (3).

Restriction
on consumer
reporting
agency

(3) No consumer reporting agency shall provide information about any person entitled to be notified under subsection (1) or subsection 10 (2) unless the agency has reasonable grounds to believe that the person requesting the information is not in contravention of subsection (1) or 10 (2), as the case may be.

Supplying list
of criteria

(4) No consumer reporting agency that receives,

- (a) a list of criteria and a request to provide the names of persons who meet the criteria; or
- (b) a request for names of persons so that information may be inferred about those persons,

shall provide the name of any person without first notifying that person in writing of the request and the name and address of the person making the request.

Non-
application

(5) This section does not apply where information is requested or provided for the purposes referred to in clause 8 (1) (a), (b) or (c) or in the circumstances set out in subsection 8 (3).

3. Subsection 11 (1) of the said Act is amended by adding thereto the following clause:

- (ba) the name and address of every person on whose behalf the file has been accessed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Consumer Reporting Amendment Act, 1988*.

CHAPTER 41

An Act to promote the Conservation of Certain Land

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“areas of natural and scientific interest” means areas of land and water containing natural landscapes or features that have been identified by the Ministry of Natural Resources as having values related to protection, natural heritage appreciation, scientific study or education;

“conservation authority land” means land owned by a conservation authority;

“conservation land” includes wetland, areas of natural and scientific interest, land within the Niagara Escarpment Planning Area, conservation authority land and such other land owned by non-profit organizations that through their management contribute to provincial conservation and heritage program objectives;

“Minister” means the Minister of Natural Resources;

“Niagara Escarpment Planning Area” means the geographic area contained within the Niagara Escarpment Plan;

“wetland” means land,

- (a) that is seasonally or permanently covered by shallow water, or
- (b) in respect of which the water table is close to or at the surface,

so that the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants.

Establish-
ment of
programs

2.—(1) The Minister, subject to the approval of the Lieutenant Governor in Council, may establish programs to recognize, encourage and support the stewardship of conservation land.

Grants

(2) A program established under subsection (1) shall provide for the payment of grants in respect of such classes of conservation land as the Minister considers appropriate subject to such conditions precedent or subsequent as the Minister considers necessary.

Moneys

(3) The moneys required for the purposes of a program shall be paid out of the Consolidated Revenue Fund and, after the 31st day of March, 1989, out of the moneys appropriated therefor by the Legislature.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Conservation Land Act, 1988*.

CHAPTER 42

An Act to amend the Corporations Tax Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subclause 1 (2) (d) (iv) of the *Corporations Tax Act*, being chapter 97 of the Revised Statutes of Ontario, 1980, as re-enacted by the Statutes of Ontario, 1984, chapter 29, section 1 and amended by the Statutes of Ontario, 1985, chapter 11, section 1, is repealed and the following substituted therefor:

(iv) where subclause (i) applies,

(A) the other provision shall be deemed to apply for the purposes of the application of sections 12 and 12.2, subsection 13 (7), section 20, subparagraphs 53 (2) (c) (vi), (vii) and (viii) and 53 (2) (h) (ii), (iii) and (iv), sections 56 and 60, subparagraph 66.1 (6) (b) (xi), section 88, paragraph 95 (1) (f), subsection 96 (2.1), paragraphs 111 (1) (e) and 127.2 (6) (a), subsections 127.2 (8) and 127.3 (6), paragraph 133 (8) (b), subsection 137 (4.3), section 138, paragraph 138.1 (1) (k) and section 248 of the *Income Tax Act* (Canada) for the purposes of this Act,

R.S.C. 1952,
c. 148

(B) subsections 192 (4.1) and 194 (4.1) of the *Income Tax Act* (Canada) shall be deemed to apply for the purposes of the application of clause 89 (1) (c) (ii) (C) of that Act for the purposes of this Act, and

(C) the other provision shall not apply for the purposes of the application of any provision of the *Income Tax Act* (Canada), other than a section, subsection,

paragraph, subparagraph or clause referred to in sub-subclause (A) or (B), for the purposes of this Act.

2.—(1) Subsection 16 (1b) of the said Act, as enacted by the Statutes of Ontario, 1983, chapter 29, section 5, is repealed.

(2) Subsection 16 (2) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 29, section 5, is repealed.

3.—(1) Clause 17 (1) (a) of the said Act is repealed and the following substituted therefor:

- (a) a natural accumulation of petroleum or natural gas, oil or gas well, mineral resource or timber limit; or

(2) Subclause 17 (2) (a) (i) of the said Act is repealed and the following substituted therefor:

- (i) natural accumulations of petroleum or natural gas, oil or gas wells or mineral resources in which the corporation has an interest, or

4.—(1) Subsection 18 (14) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 37, section 6 and amended by the Statutes of Ontario, 1983, chapter 29, section 7, is further amended by striking out “section 18a” in the first line and inserting in lieu thereof “in sections 18a and 18b”.

(2) The said subsection 18 (14) is further amended by adding thereto the following clauses:

- (aa) “assistance” has the meaning given to that expression by paragraph 66 (15) (a.1) of the *Income Tax Act* (Canada);

R.S.C. 1952,
c. 148

- (ca) “flow-through share” has the meaning given to that expression by paragraph 66 (15) (d.1) of the *Income Tax Act* (Canada) and includes a share issued pursuant to an agreement entered into by a corporation after the 28th day of February, 1986 and before the

1st day of January, 1987 which qualifies as a “flow-through share” for the purposes of that Act;

- (ia) “selling instrument” has the meaning given to that expression by paragraph 66 (15) (h.1) of the *Income Tax Act* (Canada).

(3) Clause 18 (14) (e) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 37, section 6, is amended by striking out “paragraph 66 (15) (g.1)” in the second line and inserting in lieu thereof “subsection 248 (1)”.

5. The said Act is amended by adding thereto the following section:

18b. Subsections 66 (12.6) to (12.73), (16) and (17) of the *Income Tax Act* (Canada) are applicable for the purposes of this Act in so far as they apply to corporations, except that in the application thereof,

Application
of
R.S.C. 1952,
c. 148,
s. 66 (12.6)
to (12.73),
(16) and (17)

- (a) references to “the Minister” in subsections 66 (12.68), (12.69) and (12.73) of that Act shall be read as references to the Minister of National Revenue;
- (b) the reference to “this Part” in subsection 66 (12.71) of that Act shall be read as a reference to Part II of this Act; and
- (c) a prescribed form referred to in subsection 66 (12.68), (12.69) or (12.7) of that Act that was required to be filed, and that was filed, on or before the 19th day of March, 1987, shall be deemed to have been filed at the time required under that subsection.

6. The said Act is further amended by adding thereto the following section:

19a. Section 66.6 of the *Income Tax Act* (Canada) is applicable for the purposes of this Act with the references therein to “this Part” read as references to Part II of this Act.

Application
of
R.S.C. 1952,
c. 148,
s. 66.6

7. Clause 21 (1) (a) of the said Act is repealed and the following substituted therefor:

- (a) subsection (1.1) and paragraph (2) (b) thereof are not applicable; and

8. Clause 22 (b) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 29, section 8, is repealed and the following substituted therefor:

other
amounts

R.S.C. 1952,
c. 148

- (b) an amount determined in accordance with the rules provided in paragraph 81 (1) (b), (c), (l) or (m) of the *Income Tax Act* (Canada).

9.—(1) Subsection 23 (3) of the said Act, as re-enacted by the Statutes of Ontario, 1985, chapter 11, section 8, is repealed and the following substituted therefor:

Provisions of
R.S.C. 1952,
c. 148 not
applicable

- (3) Paragraphs 87 (2) (y.1), (z), (cc) and (pp) and 88 (1) (e.7) of the *Income Tax Act* (Canada) are not applicable for the purposes of this Act.

(2) Subsection 23 (4) of the said Act, as amended by the Statutes of Ontario, 1985, chapter 11, section 8, is repealed and the following substituted therefor:

Application
of
R.S.C. 1952,
c. 148, s. 88
(1) (e.2)

- (4) Paragraph 88 (1) (e.2) of the *Income Tax Act* (Canada) shall, in its application for the purposes of this Act, be read without reference therein to paragraphs 87 (2) (y.1), (cc) and (pp) of the said Act, and as though the reference therein to paragraph 87 (2) (p) were a reference to subsection (2) of this section.

10. Section 25 of the said Act, as amended by the Statutes of Ontario, 1985, chapter 11, section 10, is further amended by adding thereto the following subsection:

Application
of
R.S.C. 1952,
c. 148, s. 96
(2.1) (b) (iv)
(A)

- (6) For the purposes of this Act, the amount referred to in clause 96 (2.1) (b) (iv) (A) of the *Income Tax Act* (Canada) shall equal the corporation's share of the foreign exploration and development expenses incurred by the partnership in the fiscal period that are deductible in computing income for the purposes of this Act.

11. Section 27 of the said Act, as amended by the Statutes of Ontario, 1984, chapter 29, section 8 and 1986, chapter 39, section 8, is further amended by adding thereto the following subsections:

Idem
R.S.C. 1952,
c. 148,
s. 110 (1) (f)
(i)

- (8) Subparagraph 110 (1) (f) (i) of the *Income Tax Act* (Canada) is not applicable for the purposes of this Act.

(9) For the purposes of this Act, the amount referred to in subclause 111 (1) (e) (ii) (C) (I) of the *Income Tax Act* (Canada) shall equal the corporation's share of the foreign exploration and development expenses incurred by the partnership in that fiscal period that are deductible in computing income for the purposes of this Act.

Idem
R.S.C. 1952,
c. 148,
s. 111 (1)
(e) (ii) (C)
(I)

12. Subsection 29 (1) of the said Act, as amended by the Statutes of Ontario, 1985, chapter 11, section 12, is further amended by striking out "and" at the end of clause (a), by adding "and" at the end of clause (b) and by adding thereto the following clause:

- (c) in the application of paragraph 115 (1) (d) of the *Income Tax Act* (Canada), no deduction is permitted with respect to an amount referred to in subparagraph 110 (1) (f) (i) of that Act.

13.—(1) Clauses 40 (2) (c) and (d) of the said Act, as enacted by the Statutes of Ontario, 1985, chapter 11, section 19, are repealed and the following substituted therefor:

- (c) subparagraph (b) (i) shall be read in its entirety as "the 7 year period referred to in clause 73 (7) (b), where that clause applies"; and
- (d) subparagraph (b) (ii) shall be read in its entirety as "the period referred to in clause 73 (7) (c), in any other case".

(2) Clause 40 (5) (b) of the said Act, as enacted by the Statutes of Ontario, 1983, chapter 29, section 15, is repealed and the following substituted therefor:

- (b) the reference in clause (C) of the said subparagraph to "this Part" shall be read as a reference to Part II of this Act, and the said clause shall be read without reference to the words "determined without reference to section 123.2".

14. Clause 49 (1) (a) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 37, section 9, is repealed and the following substituted therefor:

- (a) a corporation referred to in paragraph 149 (1) (c), (d), (e), (f), (h.1), (i), (j), (k), (m), (n), (o), (o.1), (o.2) or (o.3) of the *Income Tax Act* (Canada).

Charities and
other
corporations

15. Subsection 54 (2c) of the said Act, as enacted by the Statutes of Ontario, 1983, chapter 29, section 18, is repealed and the following substituted therefor:

Idem

(2c) For the purposes of this Part, "any other surplus" at the close of a taxation year includes, in addition to any other amount included therein by virtue of this section,

- (a) all amounts, other than accounts payable referred to in subsection 53 (1a), owing by the corporation in respect of expenses deductible by the corporation in the calculation of its income subject to tax under Part II, if the amounts are owing to a person with whom the corporation was not dealing at arm's length at the time the liability was incurred; and

- (b) dividends declared,

which were unpaid at the close of the preceding taxation year and remain unpaid and owing to a person with whom the corporation was not dealing at arm's length at the close of the taxation year.

16. Subsection 61 (4) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 37, section 13 and amended by the Statutes of Ontario, 1983, chapter 29, section 19 and 1986, chapter 39, section 13, is repealed and the following substituted therefor:

Where
corporation is
associated
with or
member of a
partnership

(4) Subsections (1) and (2) do not apply to a corporation where,

- (a) the corporation is associated with one or more other corporations and the aggregate of the taxable paid-up capital of the corporation and of each corporation with which it is associated exceeds \$1,000,000 or \$2,000,000 with respect to a loss year of the corporation as defined in subsections (5) and (6); or
- (b) the corporation is a member of a partnership or a connected partnership and the aggregate of,
 - (i) the taxable paid-up capital of the corporation, and
 - (ii) the aggregate of the shares of the taxable paid-up capital of the partnership or the connected partnership that are allocable under subsection 53 (4) to each person related to the corporation, to the extent that such amounts

are not already included in the taxable paid-up capital of the corporation by virtue of clause 53 (4) (c) or clause (a) of this subsection,

exceeds \$1,000,000 or \$2,000,000 with respect to a loss year of the corporation as defined in subsections (5) and (6).

17. The said Act is further amended by adding thereto the following section:

61a.—(1) In this section, “a corporation that is a farm equipment dealer” means a corporation whose principal business throughout the taxation year is the retail sale, leasing or servicing of farm equipment, or any combination thereof, but does not include a corporation substantially all of the business of which throughout the taxation year is the servicing of farm equipment.

Farm equip-
ment dealer

(2) Notwithstanding subsections 58 (1) and 59 (1), the tax payable under this Part by a corporation that is a farm equipment dealer for each of its first two taxation years commencing after the 31st day of December, 1986 and before the 1st day of January, 1989, shall be,

Capital tax
payable by
farm equip-
ment dealer

(a) where the amount subject to tax under this Part does not exceed \$3,000,000, the lesser of,

(i) \$200, and

(ii) either,

(A) where the corporation is otherwise eligible to pay tax under subsection 61 (1) or (2), the tax that would be payable thereunder, or

(B) in any other case, the tax otherwise payable under this Part calculated under subsections 58 (1) and 59 (1); and

(b) where the amount subject to tax under this Part is in excess of \$3,000,000, the lesser of,

(i) the aggregate of,

(A) \$200, and

- (B) the tax that would be payable, under subsections 58 (1) and 59 (1), but not section 61, if the amount subject to tax under this Part was the amount of such excess, and
- (ii) the tax otherwise payable under subsections 58 (1) and 59 (1).

18.—(1) Subsection 73 (2) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 29, section 20, is amended by striking out “or farm loss” in the third line and inserting in lieu thereof “farm loss or limited partnership loss”.

(2) Subsection 73 (3) of the said Act, as amended by the Statutes of Ontario, 1984, chapter 29, section 20, is further amended by striking out “or farm loss” in the amendment of 1984 and inserting in lieu thereof “farm loss or limited partnership loss”.

(3) Subsection 73 (4) of the said Act, as amended by the Statutes of Ontario, 1984, chapter 29, section 20, is further amended by striking out “or farm loss” in the amendment of 1984 and inserting in lieu thereof “farm loss or limited partnership loss”.

(4) Subclause 73 (7) (a) (iv) of the said Act is repealed and the following substituted therefor:

- (iv) has filed with the Minister a waiver in a prescribed form on or before the later of,
 - (A) the expiry of a four-year period commencing on the day of mailing of a notice of an original assessment or of a notification that no tax is payable for a taxation year, and
 - (B) the latest day such a waiver could be filed under this Act for any previous taxation year, or

(5) Clause 73 (7) (b) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 29, section 20, is amended by striking out “eight” in the first line and inserting in lieu thereof “seven”.

(6) Clause 73 (7) (c) of the said Act, as enacted by the Statutes of Ontario, 1984, chapter 29, section 20, is repealed and the following substituted therefor:

- (c) in any other case, on or before the later of,
- (i) the expiry of a four-year period commencing on the day of mailing of a notice of the original assessment or of a notification that no tax is payable for the taxation year, and
 - (ii) the latest day on which a reassessment, additional assessment or assessment can be made under any predecessor of this clause for any previous taxation year,

19. Subsection 91 (4) of the said Act is repealed.

20.—(1) This Act, except as provided in subsections (2) to (20), comes into force on the day it receives Royal Assent. Commence-
ment and
application

(2) Subsection 27 (8) of the said Act, as enacted by section 11 of this Act, and section 12 of this Act shall be deemed to have come into force on the 1st day of January, 1982, and apply with respect to taxation years of corporations ending after the 31st day of December, 1981. Idem

(3) Section 9 shall be deemed to have come into force on the 1st day of January, 1985, and applies with respect to taxation years of corporations ending after the 31st day of December, 1984. Idem

(4) Section 3 and subsection 4 (3) shall be deemed to have come into force on the 1st day of April, 1985, and apply with respect to taxation years of corporations ending after the 31st day of March, 1985. Idem

(5) Subclause 1 (2) (d) (iv) of the said Act, other than sub-clause (B) thereof, as re-enacted by section 1 of this Act, shall be deemed to have come into force on the 23rd day of May, 1985, except as provided in subsections (10) and (12), and in the application thereof, the “other provision” referred to in sub-subclause (A) shall apply for the purposes of the application of subsection 13 (7) of the *Income Tax Act* (Canada) for the purposes of the said Act only with respect to property acquired by a corporation after the 22nd day of May, 1985, other than property acquired by the corporation before the 1st Idem

R.S.C. 1952,
c. 148

day of January, 1986 pursuant to a written agreement entered into by the corporation before the 23rd day of May, 1985.

Idem

(6) Sub-subclause 1 (2) (d) (iv) (B) of the said Act, as enacted by section 1 of this Act, shall be deemed to have come into force on the 24th day of May, 1985.

Idem

(7) Section 6 shall be deemed to have come into force on the 20th day of July, 1985, and applies with respect to taxation years of corporations ending after the 19th day of July, 1985.

Idem

(8) Section 14 shall be deemed to have come into force on the 1st day of November, 1985.

Idem

(9) Section 7 shall be deemed to have come into force on the 22nd day of November, 1985.

Idem

(10) The reference to subparagraph 66.1 (6) (b) (xi) of the *Income Tax Act* (Canada) in sub-subclause 1 (2) (d) (iv) (A) of the said Act, as enacted by section 1 of this Act, shall be deemed to have come into force on the 1st day of December, 1985, and applies with respect to expenditures made after the 30th day of November, 1985.

Idem

(11) Section 8 shall be deemed to have come into force on the 1st day of January, 1986, and applies with respect to taxation years of corporations ending after the 31st day of December, 1985.

Idem

R.S.C. 1952,
c. 148

(12) The reference to subsection 96 (2.1) and paragraph 111 (1) (e) of the *Income Tax Act* (Canada) in sub-subclause 1 (2) (d) (iv) (A) of the said Act, as enacted by section 1 of this Act, section 10 of this Act, subsection 27 (9) of the said Act, as enacted by section 11 of this Act and subsections 18 (1), (2) and (3) of this Act shall be deemed to have come into force on the 26th day of February, 1986.

Idem

(13) Section 15 shall be deemed to have come into force on the 26th day of February, 1986, and applies with respect to liabilities incurred by corporations in taxation years commencing after the 25th day of February, 1986.

Idem

(14) Subsection 4 (1) of this Act and clause 18 (14) (ca) of the said Act, as enacted by subsection 4 (2) of this Act, shall be deemed to have come into force on the 1st day of March, 1986.

Idem

(15) Clauses 18 (14) (aa) and (ia) of the said Act, as enacted by subsection 4 (2) of this Act, and the application of subsections 66 (12.6) to (12.73) of the *Income Tax Act* (Canada) for the purposes of the said Act, as enacted by section 5 of this

Act, shall be deemed to have come into force on the 1st day of March, 1986, and apply with respect to expenses incurred after the 28th day of February, 1986.

(16) The application of subsections 66 (16) and (17) of the *Income Tax Act* (Canada) for the purposes of the said Act, as enacted by section 5 of this Act, shall be deemed to have come into force on the 1st day of March, 1986, with respect to fiscal periods of partnerships ending after the 28th day of February, 1986. Idem
R.S.C. 1952,
c. 148

(17) Section 19 shall be deemed to have come into force on the 15th day of May, 1986. Idem

(18) Sections 2 and 17 shall be deemed to have come into force on the 1st day of January, 1987. Idem

(19) Subsection 13 (2) shall be deemed to have come into force on the 1st day of January, 1987, and applies with respect to taxation years of corporations ending after the 31st day of December, 1986. Idem

(20) Subsections 13 (1) and 18 (4), (5) and (6) come into force on the day this Act receives Royal Assent and apply with respect to reassessments and assessments for taxation years of corporations commencing after the day this Act receives Royal Assent. Idem

21. The short title of this Act is the *Corporations Tax Amendment Act, 1988*. Short title

CHAPTER 43

An Act to amend the Mining Tax Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause 1 (1) (k) of the *Mining Tax Act*, being chapter 269 of the Revised Statutes of Ontario, 1980, as re-enacted by the Statutes of Ontario, 1987, chapter 11, section 1, is amended by striking out “if the manufacturing is carried on in Canada” in the fifth and sixth lines.

2.—(1) Section 3 of the said Act, as amended by the Statutes of Ontario, 1987, chapter 11, section 3, is further amended by adding thereto the following subsections:

(5a) If the operator so elects, the operator's profit for the taxation year shall not include the operator's profit, if any, as determined under subsection (5b), earned during that portion of the exempt period that falls within the taxation year,

Exemption
re: new mine
or major
expansion of
existing mine

- (a) from a new mine that has come into existence after the 20th day of May, 1987; or
- (b) from a major expansion of an existing mine that has occurred after the 20th day of May, 1987,

in which the operator has an interest, upon the filing of a declaration in the prescribed form with the operator's return under subsection 7 (1) for the first taxation year in which a portion of the exempt period occurs.

(5b) For the purposes of subsection (5a), the operator's profit shall be determined under subsection (5) as if the operator's interest in the new mine that has come into existence or in the major expansion of the existing mine that has occurred was the only mine in which the operator had an interest during the taxation year provided that,

Determina-
tion of
profit

- (a) the allowance for depreciation to be deducted under clause (5) (h) shall be the amount equal to the

aggregate of the maximum amounts calculated in accordance with clauses (6) (a) and (b), subject to clauses (6) (d) and (e) and subsection (15); and

- (b) no amount shall be deducted in respect of the allowance for depreciation of the operator calculated under clause (6) (c),

in respect of depreciable property that can reasonably be considered to be used in connection with the new mine or with the major expansion of the existing mine.

Prorating
depreciation
allowance

(5c) Where the number of days in the operator's taxation year exceeds the number of days in the portion of the exempt period that falls within that taxation year, the amount of the operator's allowance for depreciation required to be deducted in determining the operator's profit under subsection (5b) shall be equal to that proportion of the allowance for depreciation determined under clause (5b) (a) that the number of days during the portion of the exempt period in the taxation year is of 365.

Exempt
period

(5d) In subsections (5a), (5c) and (5f), "exempt period" means, in respect of a new mine that has come into existence or a major expansion of an existing mine that has occurred, the thirty-six month period commencing with the month during which the new mine or the major expansion came into production in reasonable commercial quantities.

Commence-
ment of
production

(5e) For the purpose of subsection (5d), a new mine or a major expansion of an existing mine shall be deemed to have come into production in reasonable commercial quantities,

- (a) in the case of a new mine, on the first day of the month when the operator thereof first becomes entitled to receive proceeds from the output of the mine; and
- (b) in the case of a major expansion of an existing mine, on the first day that the rate of production of mineral substances from the expanded mine exceeded by at least 30 per cent the average daily rate of production of mineral substances from the mine during each of the five calendar years ending immediately before the calendar year in which the first outlay was made to expand the mine.

Loss

(5f) Where a determination under subsection (5b) produces a loss for a new mine or a major expansion with respect to the portion of the exempt period within the taxation year, sub-

sections (5a) to (5e) do not apply for that new mine or major expansion for the taxation year.

(2) Subsection 3 (6) of the said Act, as re-enacted by the Statutes of Ontario, 1987, chapter 11, section 3, is amended by striking out “and” at the end of clause (b) and by adding thereto the following clauses:

- (d) notwithstanding clauses (a), (b) and (e), subsection (15) and clause 4 (3) (b), where the operator’s taxation year is less than 365 days, an amount not exceeding that proportion of the aggregate of the amounts determined under clauses (a) and (e), subsection (15) and clause 4 (3) (b) in respect of processing and transportation assets and clause (b) in respect of mining assets that the number of days in the taxation year is of 365; and
- (e) notwithstanding clause (a), where processing assets are situated outside Canada or assets for transporting processed mineral substances are used outside Canada, an amount not exceeding that proportion of the amount determined under clause (a),
 - (i) in respect of processing assets, that the value of mineral substances mined in Ontario is to the total value of mineral substances fed into the processing plant situated outside Canada, or
 - (ii) in respect of assets used for transporting processed mineral substances, that the value of processed product derived from output is of the total value of processed product transported by those assets.

(3) Subsection 3 (10) of the said Act, as re-enacted by the Statutes of Ontario, 1987, chapter 11, section 3, is amended by striking out “and” at the end of clause (c), by adding “and” at the end of clause (d) and by adding thereto the following clause:

- (e) the total of the amounts not deductible under this Act as a result of the application of clause (6) (e) or subsection (15) in respect of an allowance for depreciation.

(4) Section 3 of the said Act, as amended by the Statutes of Ontario, 1987, chapter 11, section 3, is further amended by adding thereto the following subsections:

Reduction in
processing
costs

(15) For the purposes of clauses (5) (b), (c), (d), (e), (i) and (j), (5b) (a) and (6) (a), where a processing plant owned and operated by the operator is,

- (a) located in Ontario, the amount of the operator's expenses, outlays or allowances relating to processing shall be reduced by the proportion that the value of the input of mineral substances mined in Canada outside Ontario is of the total value of the input of mineral substances to the processing plant; or
- (b) located in Canada outside Ontario, the amount of the operator's expenses, outlays or allowances shall be reduced by the proportion that the aggregate of the value of input of,
 - (i) mineral substances from Ontario mines, other than mineral substances from the operator's Ontario mines, and
 - (ii) mineral substances from mines located outside Ontario, whether from the operator's mines or not,

is of the total value of the input of mineral substances to the processing plant.

Processing
plant located
outside
Canada

(16) No deduction shall be made under clauses (5) (c), (d), (e) and (f) for expenses and outlays related to processing at an operator's processing plant located outside Canada.

3.—(1) Clause 4 (3) (b) of the said Act, as enacted by the Statutes of Ontario, 1987, chapter 11, section 4, is repealed and the following substituted therefor:

- (b) the deduction allowed under clause 3 (5) (h) in respect of processing assets situated in Canada, assets for transporting processed mineral substances to market from the point at which processing in Canada is completed and mining assets acquired prior to the 10th day of April, 1974, attributable to the operation of a specified uranium undertaking, shall not be,
 - (i) greater than the lesser of 15 per cent of the capital cost and the undepreciated capital cost of the assets as of the end of the taxation year (before making any deduction under clause

3 (5) (h) in respect of the assets for the taxation year), and

- (ii) less than the lesser of 5 per cent of the capital cost of the assets as of the end of the taxation year and the undepreciated capital cost of the assets as of the end of the taxation year (before making any deduction under clause 3 (5) (h) in respect of the assets for the taxation year); and

(2) Section 4 of the said Act, as amended by the Statutes of Ontario, 1987, chapter 11, section 4, is further amended by adding thereto the following subsection:

(6) Notwithstanding subsection 3 (5), where mineral substances are transported outside Canada to be processed by or on behalf of the operator, no deduction shall be made for expenses and outlays incurred outside Canada relating to the processing of the operator's output that is attributable to a specified uranium undertaking in respect of a taxation year ending after the 9th day of April, 1979.

Processing
expenses and
outlays
incurred
outside
Canada

4.—(1) Subclause 9 (1) (a) (iv) of the said Act, as enacted by the Statutes of Ontario, 1987, chapter 11, section 9, is repealed and the following substituted therefor:

(iv) has filed with the Minister a waiver in the prescribed form on or before the later of,

- (A) the expiry of a four-year period commencing on the day of mailing of the notice of an original assessment, and
- (B) the latest day such a waiver could be filed under this Act for any previous taxation year; and

(2) Clause 9 (1) (b) of the said Act, as enacted by the Statutes of Ontario, 1987, chapter 11, section 9, is repealed and the following substituted therefor:

- (b) in any other case, on or before the later of,

- (i) the expiry of a four-year period commencing on the day of mailing of the original notice of assessment, and
- (ii) the latest day on which a reassessment, additional assessment or assessment can be made under any predecessor of this clause for any previous taxation year,

5. Section 17 of the said Act is repealed.

6. Clause 26 (1) (g) of the said Act, as re-enacted by the Statutes of Ontario, 1987, chapter 11, section 22, is repealed and the following substituted therefor:

- (g) prescribing the manner of determining and the matters to be taken into account in determining whether there is a mine project that is a new mine or a major expansion of an existing mine for the purposes of subsection 3 (5a) and clause 3 (6) (c) and the time at which a mine project is completed for the purposes of clause 3 (6) (c).

Commence-
ment

7.—(1) Except as provided in subsections (2) to (4), this Act comes into force on the day it receives Royal Assent.

Idem

(2) Subsection 2 (1) and section 6 shall be deemed to have come into force on the 21st day of May, 1987, and apply in respect of taxation years ending after the 20th day of May, 1987.

Idem

(3) Section 1, subsections 2 (2), (3) and (4) and section 3 shall be deemed to have come into force on the 1st day of April, 1986, and apply in respect of taxation years ending after the 31st day of March, 1986.

Idem

(4) Section 4 comes into force on the day this Act receives Royal Assent and applies to assessments, reassessments and additional assessments for taxation years of operators commencing after the day this Act receives Royal Assent.

Short title

8. The short title of this Act is the *Mining Tax Amendment Act, 1988*.

CHAPTER 44

An Act to amend the Highway Traffic Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 7 (6) of the *Highway Traffic Act*, being chapter 198 of the Revised Statutes of Ontario, 1980, is amended by striking out “or” at the end of clause (a), by adding “or” at the end of clause (b) and by adding thereto the following clause:

- (c) as a public truck within the meaning of the *Truck Transportation Act, 1988*, 1988, c. 64

2. The said Act is amended by adding thereto the following sections:

15a.—(1) In this section and in sections 15d and 15e, Definitions

“commercial motor vehicle” does not include,

- (a) an ambulance, a fire apparatus, a hearse, a casket wagon, a mobile crane, a motor home, a vehicle commonly known as a tow truck or a commercial motor vehicle, other than a bus, having a registered gross weight of not more than 4500 kilograms,
- (b) a commercial motor vehicle leased for no longer than thirty days by an individual for the transportation of goods kept for that individual’s personal use or the gratuitous carriage of passengers,
- (c) a commercial motor vehicle operated under a permit and number plates issued under a regulation made under clause 7 (14) (f) or (fa) that is not transporting passengers or goods,

- (d) a commercial motor vehicle operated under the authority of an In-Transit permit, and
- (e) a bus that is used for personal purposes without compensation;

“CVOR certificate” means a Commercial Vehicle Operator’s Registration Certificate issued under this Act;

“operator” means the person responsible for the operation of a commercial motor vehicle including the conduct of the driver of, and the carriage of goods or passengers, if any, in the vehicle or combination of vehicles;

1988, c. 64 “owner-driver authority” means an owner-driver authority issued under the *Truck Transportation Act, 1988*;

“single-source authority” means a single-source authority issued under the *Truck Transportation Act, 1988*.

CVOR
certificate
required

(2) No person shall drive or operate a commercial motor vehicle on a highway unless the operator is the holder of a CVOR certificate that is not under suspension.

Documents
to be carried

(3) Every driver of a commercial motor vehicle shall carry the original or a copy of,

- (a) the CVOR certificate issued to the operator of the vehicle;
- (b) the lease of the vehicle meeting the requirements of subsection (5) if it is a leased vehicle; or
- (c) the applicable contract or the notice thereof, as filed with the Ministry, meeting the requirements of subsection (5) if the vehicle is operated under an owner-driver authority or single-source authority,

and where the operator has been issued fleet limitation certificates, a fleet limitation certificate.

Documents
to be
surrendered

(4) Every driver of a commercial motor vehicle shall, upon the demand of a police officer, surrender for inspection the documents that are required under subsection (3) to be carried.

Requirements
for lease or
contract

(5) Every lease, contract or notice of contract carried under subsection (3) shall clearly identify the vehicle involved, the parties thereto and their addresses, the operator of the vehicle and the operator’s CVOR certificate.

- (6) A commercial motor vehicle operated under the authority of an owner-driver authority or single-source authority shall be deemed to be operated by the person or partnership that contracted with the holder of the licence.

Deemed operator
- (7) For a commercial motor vehicle, for which an Ontario permit is not in force and which bears number plates from and is registered in another province or state, the motor vehicle permit may be substituted for a CVOR certificate for the purposes of subsections (2) and (3) if the operator of the commercial motor vehicle is not the holder of a CVOR certificate.

Substitution for CVOR certificate
- 15b.**—(1) The Minister shall issue a CVOR certificate to every person who applies therefor in the prescribed form and meets the requirements of this Act and the regulations.

Certificates issued by Minister
- (2) The Minister may refuse to issue a CVOR certificate to a partnership or corporation where a partner or officer thereof is the holder of, or a partner or officer of a holder of, a CVOR certificate that is under suspension or the subject of a fleet restriction under subsection 30 (1) or (2).

Refusal to issue
- (3) The Minister may refuse to issue a CVOR certificate to an individual where the individual is a partner of a partnership or officer of a corporation that is the holder of a CVOR certificate that is under suspension or the subject of a fleet restriction under subsection 30 (1) or (2).

Idem
- (4) No person, alone or in partnership, is entitled to hold more than one CVOR certificate.

One certificate only
- 15c.** Every corporate holder of a CVOR certificate shall notify the Minister in writing, within fifteen days after any change in the name, address or persons constituting the officers of the corporation, of the change made.

Changes
- 15d.** In the absence of evidence to the contrary, where there is no CVOR certificate, lease or contract applicable to a commercial motor vehicle, the holder of the plate portion of the permit for the vehicle shall be deemed to be the operator for the purposes of sections 15c and 15e.

Person deemed to be operator
- 15e.**—(1) Every person who gives up possession of a commercial motor vehicle under a lease or contract shall retain a copy of the lease or contract in his place of business for a period of one year after the termination of the lease or contract.

Retaining lease or contract

Where
contravention
of
subs. 15a (2)
or 30 (3e)

(2) A police officer who has reason to believe that a commercial motor vehicle is being operated in contravention of subsection 15a (2) or 30 (3e) may,

- (a) detain the vehicle at any location that is reasonable in the circumstances; and
- (b) seize the permits and number plates for the vehicle,

until the vehicle can be moved without a contravention of this Act occurring.

Permit
suspended

(3) Every permit seized under subsection (2) shall be deemed to be under suspension for the purposes of section 33 while it is in the custody of the officer seizing it.

Lien

R.S.O. 1980,
c. 261

(4) The costs incurred in detaining a vehicle under subsection (2) are a lien on the vehicle, which may be enforced in the manner provided by section 52 of the *Mechanics' Lien Act*.

Court
application

(5) The person entitled to possession of a vehicle that is detained or the permits or plates of which are seized under subsection (2) may apply to the District Court for an order that the vehicle be released or the permits and plates returned, as the case may be.

Security

(6) On an application being made under subsection (5), the Court may make the order applied for on condition that a security, for the payment of any fine imposed, in such amount as is determined by the Court but not exceeding \$5,000 be deposited with the Court.

Return of
security

(7) Every security deposited under subsection (6) shall be returned,

- (a) upon a final acquittal under all charges arising in connection with the seizure or detention;
- (b) where a charge is not laid within six months after the seizure or detention, on the expiration of the six month period; or
- (c) upon a conviction arising in connection with the seizure or detention, after withholding the amount of the fine.

Offence

15f.—(1) Every person who contravenes subsection 15a (3) or (4), section 15c or 15e or a regulation made under

section 15g is guilty of an offence and on conviction is liable to a fine of not more than \$500.

(2) Every person who contravenes subsection 15a (2) is guilty of an offence and on conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than six months, or to both. Idem

15g. The Lieutenant Governor in Council may make regulations, Regulations

- (a) prescribing forms;
- (b) prescribing fees for the replacement of CVOR certificates;
- (c) classifying persons and vehicles and exempting any class of person or vehicle from any provision of section 15a and prescribing conditions for any such exemption;
- (d) prescribing the qualifications required to obtain and to hold CVOR certificates and authorizing the Minister to waive such qualifications as are specified in the regulations under the circumstances prescribed therein;
- (e) providing for the suspension or cancellation of CVOR certificates where the prescribed qualifications or conditions are not maintained;
- (f) respecting documents and information to be filed with or supplied to the Ministry prior to the issuance of CVOR certificates or as a condition of retention thereof by the holders of CVOR certificates;
- (g) requiring the attendance of certificate holders to show why a certificate should not be cancelled or suspended.

3. Subsection 21 (2) of the said Act is repealed and the following substituted therefor:

(2) Notwithstanding clause (1) (e), a person may hold a second driver's licence if the second licence is,

Second
driver's
licence
permitted

- (a) issued solely to permit the licensee to obtain experience in the driving of a motorcycle for the purpose

of qualifying for a driver's licence that authorizes him or her to drive a motorcycle; or

- (b) required by any other province or territory of Canada or any state of the United States of America and has been issued in compliance with the law of that province, territory or state.

Definition

(3) For the purposes of this section, "driver's licence" includes a licence issued by any other province or territory of Canada or by any state of the United States of America.

4.—(1) Subsections 30 (1), (2) and (3) of the said Act are repealed and the following substituted therefor:

Registrar
may suspend,
cancel
licence, etc.

(1) The Registrar may suspend or cancel,

- (a) the plate portion of a permit as defined in Part II;
- (b) a driver's licence; or
- (c) a CVOR certificate,

on the grounds of,

- (d) misconduct for which the holder is responsible, directly or indirectly, related to the operation or driving of a motor vehicle;
- (e) conviction of the holder for an offence referred to in subsection 184 (1) or (1a); or
- (f) any other sufficient reason not referred to in clause (d) or (e).

Restriction

(2) As an alternative to a suspension or cancellation under subsection (1), the Registrar may restrict the number of commercial motor vehicles that may be operated by a holder of a CVOR certificate during such period as the Registrar stipulates.

New licence,
etc., not to
be issued

(3) A person whose permit, licence or certificate is under suspension is not entitled to be issued a certificate, licence or plate portion of a permit, as the case may be.

Fleet
limitation
certificates

(3a) Where a restriction is imposed under subsection (2), the Registrar shall issue to the holder of the CVOR certificate fleet limitation certificates in a number equal to the number of vehicles permitted to be operated.

(3b) Every person whose permit for a motor vehicle is suspended or cancelled and who, while prohibited from having such a motor vehicle registered in his or her name, applies for or procures the issue or has possession of the plate portion of a permit for such a motor vehicle issued to him or her is guilty of an offence and on conviction is liable,

- (a) to a fine of not less than \$40 and not more than \$200 where the vehicle is not a commercial motor vehicle; or
- (b) to a fine of not less than \$100 and not more than \$1,000 where the vehicle is a commercial motor vehicle,

or to imprisonment for a term of not more than thirty days, or to both a fine and imprisonment.

(3c) Every person whose licence is suspended or cancelled and who, while prohibited from driving a motor vehicle, applies for or procures the issue to or has possession of any portion of a licence other than a Photo Card portion issued to him or her is guilty of an offence and on conviction is liable to a fine of not less than \$40 and not more than \$200 and to imprisonment for a term of not more than thirty days.

(3d) Every person whose CVOR certificate is suspended and who applies for or procures the issue of a CVOR certificate to him or her is guilty of an offence and on conviction is liable, to a fine of not less than \$100 and not more than \$1,000 or to imprisonment for a term of not more than thirty days, or to both.

(3e) Every person,

- (a) in respect of whom a restriction is imposed under subsection (2) who operates a commercial motor vehicle in which a valid fleet limitation certificate is not carried; or
- (b) who operates a commercial motor vehicle without a permit or certificate or when his or her permit or certificate is under suspension,

is guilty of an offence and on conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than six months, or to both.

(3f) For the purposes of this section, "commercial motor vehicle" has the same meaning as defined in section 15a.

(2) Subsection 30 (4) of the said Act is amended by inserting after "Act" in the second line "*the Truck Transportation Act, 1988*".

5.—(1) Subsections 30a (6), (10), (11) and (12) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 72, section 1, are repealed and the following substituted therefor:

Intent of
suspension

(10) The suspension of a licence under this section is intended to safeguard the licensee and the public and does not constitute an alternative to any proceeding or penalty arising from the same circumstances or around the same time.

Duty of
officer

(11) Every officer who asks for the surrender of a licence under this section shall keep a written record of the licence received with the name and address of the person and the date and time of the suspension and, at the time of receiving the licence, shall return the Photo Card portion of the licence, if the licence consists of a Photo Card and Licence Card, and provide the licensee with a written statement of the time from which the suspension takes effect, the length of the period during which the licence is suspended, and the place where the licence or Licence Card portion thereof may be recovered.

Removal of
vehicle

(12) If the motor vehicle of a person whose licence is suspended under this section is at a location from which, in the opinion of a police officer, it should be removed and there is no person available who may lawfully remove the vehicle, the officer may remove and store the vehicle or cause it to be removed and stored, in which case, the officer shall notify the person of the location of the storage.

Cost of
removal

(12a) Where a police officer obtains assistance for the removal and storage of a motor vehicle under this section, the costs incurred in moving and storing the vehicle are a lien on the vehicle that may be enforced under the *Mechanics' Lien Act* by the person who moved or stored the vehicle at the request of the officer.

R.S.O. 1980,
c. 261

(2) Clause 30a (13) (a) of the said Act, as enacted by the Statutes of Ontario, 1984, chapter 21, section 5, is amended by inserting after "licence" in the second line "and a driver's licence issued by any other jurisdiction".

6. Subsection 44 (15) of the said Act is amended by inserting after "*Public Vehicles Act*" in the fourth line "*the Truck Transportation Act, 1988*".

7. The said Act is further amended by adding thereto, in Part V, the following section:

90a.—(1) In this section, “commercial motor vehicle” and “operator” have the meaning prescribed under this section and not as set out in this Act.

Definitions

(2) Every operator shall establish a system to periodically inspect, repair and maintain all commercial motor vehicles and trailers under the operator’s control that are operated on a highway.

Regular maintenance

(3) Every operator shall inspect, repair and maintain or cause to be inspected, repaired and maintained all commercial motor vehicles and trailers under the operator’s control in accordance with the prescribed vehicle component performance standards and the operator’s system for periodic inspections.

Idem

(4) Every operator shall instruct every driver of commercial motor vehicles under the operator’s control to conduct or cause to be conducted a prescribed inspection of the commercial motor vehicles and trailers to be driven or towed by the driver prior to the motor vehicles being driven or the trailers being towed on a highway.

Inspection

(5) No driver shall drive a commercial motor vehicle or tow a trailer on a highway unless the prescribed inspection of the vehicle or trailer has been conducted or caused to be conducted by that driver.

Idem

(6) Every driver who reasonably believes or suspects that the state, condition or components of a vehicle or trailer that driver is about to or is driving or towing, as the case may be, on a highway do not meet the prescribed standards shall report the belief or suspicion to the operator.

Reporting defects

(7) No driver shall drive a vehicle or tow a trailer on a highway if the driver determines as a result of an inspection that the state, condition or components of the vehicle or trailer do not meet the prescribed standards.

Driving defective vehicle prohibited

(8) No operator shall permit a commercial motor vehicle to be driven or a trailer to be towed on a highway if the operator has reason to believe that the state, condition or components of the vehicle or trailer do not meet the prescribed standards.

Idem

(9) Every operator, owner and driver of a commercial motor vehicle shall maintain or cause to be maintained such books and records as are prescribed.

Operator’s duty

(10) Every driver shall carry the inspection report in respect of the prescribed inspection at all times while in

Driver to carry inspection report

charge of a commercial motor vehicle on a highway and shall surrender the report to any police officer or officer appointed for the purpose of carrying out the provisions of this Act or the regulations made under this Act on demand of the officer.

Definition (11) In this section, "prescribed" means prescribed by the regulations made under this section.

Regulations (12) The Lieutenant Governor in Council may make regulations,

- (a) respecting the driving or operation of commercial motor vehicles and trailers;
- (b) governing the method and requirements for inspecting vehicles referred to in clause (a);
- (c) prescribing books and records that shall be kept by operators, owners and drivers of commercial motor vehicles;
- (d) requiring the retention of prescribed books and records by operators, owners and drivers of commercial motor vehicles and prescribing the information to be contained and the entries to be recorded therein and the places where they shall be maintained;
- (e) prescribing inspection, repair and maintenance standards for commercial motor vehicles and trailers;
- (f) prescribing vehicle component performance standards for commercial motor vehicles and trailers;
- (g) exempting any person or class of persons or any vehicle or class of vehicles from any requirement in this section or any regulation made under this section and prescribing conditions for any such exemption;
- (h) defining "commercial motor vehicle" and "operator" for the purposes of this section;
- (i) prescribing anything that is referred to in this section as prescribed.

Adoption by reference

(13) Any regulation made under subsection (12) may adopt by reference in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code

or standard, or any regulation made by the Government of Canada or the United States of America.

(14) Every operator or owner who contravenes any provision in this section or the regulations made under this section is guilty of an offence and on conviction is liable, Offence
—operator,
owner

(a) for a first offence, to a fine of not less than \$250 and not more than \$2,000; and

(b) for each subsequent offence, to a fine of not less than \$500 and not more than \$2,000 or to imprisonment for a term of not more than six months, or to both.

(15) Every driver who contravenes any provision in this section or the regulations made under this section is guilty of an offence and on conviction is liable, —driver

(a) for a first offence, to a fine of not less than \$100 and not more than \$500; and

(b) for each subsequent offence, to a fine of not less than \$250 and not more than \$500 or to imprisonment for a term of not more than six months, or to both.

(16) An offence referred to in subsection (14) or (15) committed more than five years after a previous conviction for any offence under this section or the regulations made under this section is not a subsequent offence for the purposes of clause (14) (b) or (15) (b). Subsequent
offence

8. Subsection 104 (5) of the said Act is amended by striking out “produced” in the fifth line and inserting in lieu thereof “surrendered” and by inserting after “Act” where it occurs the first time in the seventh line “the *Truck Transportation Act, 1988*”.

9. The said Act is further amended by adding thereto the following section:

165a.—(1) In this section, “commercial motor vehicle” Definitions
and “operator” have the meaning prescribed under this section and not as set out in this Act.

(2) No person shall drive a commercial motor vehicle on a highway except in accordance with this section and the regulations made under this section. Driving
restrictions

- Daily log (3) Every driver shall maintain a daily log and shall carry it at all times while in charge of a commercial motor vehicle on the highway.
- Surrender of daily log (4) Every driver who is required under subsection (3) to carry a daily log shall surrender it to any police officer or officer appointed for the purpose of carrying out the provisions of this Act upon demand by the officer.
- One daily log only (5) No driver shall make or have more than one daily log that records the same time period or overlapping time periods.
- Operator's duty (6) No operator shall permit a person to drive a commercial motor vehicle on a highway except in accordance with this section or the regulations made under this section.
- Regulations (7) The Lieutenant Governor in Council may make regulations,
- (a) prescribing the books, logs and records that shall be kept by operators and drivers of commercial motor vehicles;
 - (b) requiring the retention of books, logs and records, the information to be contained and the entries to be recorded therein and the places where they shall be kept;
 - (c) prescribing hours of work, periods of rest and other requirements for the purpose of subsection (2), including prescribing different hours or periods for different types of work or driving;
 - (d) exempting any person or class of persons or any vehicle or class of vehicles from any requirement in this section or any regulation made under this section and prescribing conditions for any such exemption;
 - (e) defining "commercial motor vehicle" and "operator" for the purposes of this section.
- Offence (8) Every person who contravenes a provision of this section or a regulation made under this section is guilty of an offence and on conviction is liable,
- (a) for a first offence, to a fine of not less than \$250 and not more than \$2,000; and

- (b) for each subsequent offence, to a fine of not less than \$500 and not more than \$2,000 or to imprisonment for a term of not more than six months, or to both.

(9) An offence referred to in subsection (8) committed more than five years after a previous conviction for an offence under subsection (8) is not a subsequent offence for the purpose of clause (8) (b).

Time limit
for
subsequent
offence

10. Section 166 of the said Act, as amended by the Statutes of Ontario, 1983, chapter 63, section 37, is further amended by adding thereto the following subsection:

(3) In addition to any liability of an owner incurred under subsection (1), the operator of a commercial motor vehicle, as defined in subsection 15a (1), is liable for loss or damage sustained by any person by reason of negligence in the operation of the commercial motor vehicle on a highway.

Liability of
operator of
commercial
motor vehicle

11.—(1) Subclause 179 (c) (iii) of the said Act is repealed and the following substituted therefor:

- (iii) a record of all licences, permits and CVOR certificates issued, suspended, revoked, cancelled or revived under this Act.

(2) Clause 179 (c) of the said Act is amended by striking out “and” at the end of subclause (v), by renumbering subclause (vi) as subclause (vii) and by adding thereto the following subclause:

- (vi) an operating record of every conviction of every CVOR certificate holder and the holder’s agents and employees that is reported to the Registrar under section 184 and such other convictions, whether or not the certificate holder was the person convicted, as the Registrar considers useful for the purpose of the administration and enforcement of this Act, and

12. Section 181 of the said Act, as amended by the Statutes of Ontario, 1982, chapter 15, section 12 and 1983, chapter 63, section 43, is further amended by adding thereto the following subsection:

Definition

(5) In this section, "owner" includes operator as defined in section 15a or as deemed in section 15d.

13. Subsection 190 (2) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 63, section 46, is amended by striking out "subsection 30 (2) or (3)" in the fourth line and inserting in lieu thereof "subsection 30 (3b), (3c), (3d) or (3e)".

14. Subsection 194a (1) of the said Act, as enacted by the Statutes of Ontario, 1985, chapter 13, section 17, is amended by inserting after "the" in the first line "*Truck Transportation Act, 1988*", by inserting after "service" in the seventh line "on the operator of the vehicle as defined in subsection 15a (1) or" and by inserting after "unless" in the eighth line "in the case of the owner".

15. The said Act is further amended by adding thereto the following section:

Inspection of
records

194b.—(1) An officer of the Ministry may, during normal business hours upon production of his or her designation as an officer, enter any place of business of a person required under this Act or the regulations to keep records for the purpose of inspecting those records.

Idem

(2) An officer of the Ministry, for the purpose of ensuring that the provisions of this Act and the regulations are being complied with, is authorized to inspect any records required to be kept under this Act or the regulations.

Copies

(3) An officer examining any records under this section may, on giving a receipt therefor, remove any record for the purpose of making copies thereof but the copying must be made quickly and the record promptly returned.

Idem

(4) Any copy made under subsection (3) and certified as a true copy by the person making it is admissible in evidence in any action, proceeding or prosecution as proof, in the absence of evidence to the contrary, of the record copied and its contents.

Obstruction
prohibited

(5) No person shall obstruct any officer from doing anything that he or she is authorized by this section to do or to withhold from the officer or conceal or destroy any record that the officer is authorized to examine or to copy.

Penalty

(6) Every person who contravenes subsection (5) is guilty of an offence and on conviction is liable to a fine of not less

than \$100 and not more than \$1,000 or to imprisonment for a term of not more than six months, or to both.

16. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor. Commence-
ment

17. The short title of this Act is the *Highway Traffic Amendment Act, 1988*. Short title

CHAPTER 45

**An Act respecting the United Nations Convention
on Contracts for the
International Sale of Goods**

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definition
"Convention"

1. In this Act, "Convention" means the United Nations Convention on Contracts for the International Sale of Goods set out in the Schedule.

Declaration
of
Government
of Canada

2. The Attorney General shall request the Government of Canada to declare in accordance with article 93 of the Convention that the Convention extends to Ontario.

Convention
in force

3. On the date the Convention comes into force in Canada in accordance with article 99 of the Convention, the Convention comes into force in Ontario.

Publication

4. The Attorney General shall cause to be published in *The Ontario Gazette* the date the Convention comes into force in Ontario.

This Act
prevails

5. Where there is a conflict between this Act and any other enactment, this Act prevails.

Exclusion of
Convention

6. Parties to a contract to which the Convention would otherwise apply may exclude its application by expressly providing in the contract that the local domestic law of Ontario or another jurisdiction applies to it or that the Convention does not apply to it.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is the *International Sale of Goods Act, 1988*.

CHAPITRE 45

**Loi concernant la Convention des Nations
Unies sur les contrats de vente
internationale de marchandises**

Sanctionnée le 29 juin 1988

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

- | | |
|---|--|
| <p>1 Dans la présente loi, «Convention» s'entend de la Convention des Nations Unies sur les contrats de vente internationale de marchandises, dont le texte est reproduit à l'annexe.</p> | <p>Définition
«Convention»</p> |
| <p>2 Le procureur général demande au gouvernement du Canada de déclarer, en conformité avec l'article 93 de la Convention, que celle-ci s'applique à l'Ontario.</p> | <p>Déclaration
du
gouvernement
du Canada</p> |
| <p>3 À la date d'entrée en vigueur de la Convention au Canada, en conformité avec son article 99, celle-ci entre en vigueur en Ontario.</p> | <p>Convention en
vigueur</p> |
| <p>4 Le procureur général fait publier dans la <i>Gazette de l'Ontario</i> la date d'entrée en vigueur de la Convention en Ontario.</p> | <p>Publication</p> |
| <p>5 La présente loi l'emporte sur tout autre texte législatif incompatible.</p> | <p>La présente
loi l'emporte</p> |
| <p>6 Les parties à un contrat auquel s'appliquerait la Convention peuvent exclure son application en prévoyant expressément dans le contrat que le droit interne local de l'Ontario ou d'un autre ressort s'y applique ou que la Convention ne s'y applique pas.</p> | <p>Exclusion de
la Convention</p> |
| <p>7 La présente loi entre en vigueur le jour où elle reçoit la sanction royale.</p> | <p>Entrée en
vigueur</p> |
| <p>8 Le titre abrégé de la présente loi est <i>Loi de 1988 sur la vente internationale de marchandises</i>.</p> | <p>Titre abrégé</p> |

SCHEDULE

UNITED NATIONS CONVENTION ON CONTRACTS FOR THE
INTERNATIONAL SALE OF GOODS

THE STATES PARTIES TO THIS CONVENTION,

BEARING IN MIND the broad objectives in the resolutions adopted by the sixth special session of the General Assembly of the United Nations on the establishment of a New International Economic Order,

CONSIDERING that the development of international trade on the basis of equality and mutual benefit is an important element in promoting friendly relations among States,

BEING OF THE OPINION that the adoption of uniform rules which govern contracts for the international sale of goods and take into account the different social, economic and legal systems would contribute to the removal of legal barriers in international trade and promote the development of international trade,

HAVE AGREED as follows:

PART I

SPHERE OF APPLICATION AND GENERAL PROVISIONS

CHAPTER I

SPHERE OF APPLICATION

Article 1

(1) This Convention applies to contracts of sale of goods between parties whose places of business are in different States:

- (a) when the States are Contracting States; or
- (b) when the rules of private international law lead to the application of the law of a Contracting State.

(2) The fact that the parties have their places of business in different States is to be disregarded whenever this fact does not appear either from the contract or from any dealings between, or from information disclosed by, the parties at any time before or at the conclusion of the contract.

(3) Neither the nationality of the parties nor the civil or commercial character of the parties or of the contract is to be taken into consideration in determining the application of this Convention.

Article 2

This Convention does not apply to sales:

ANNEXE

CONVENTION DES NATIONS UNIES SUR LES CONTRATS DE
VENTE INTERNATIONALE DE MARCHANDISES

LES ÉTATS PARTIES À LA PRÉSENTE CONVENTION,

AYANT PRÉSENTS À L'ESPRIT les objectifs généraux inscrits dans les résolutions relatives à l'instauration d'un nouvel ordre économique international que l'Assemblée générale a adoptées à sa sixième session extraordinaire,

CONSIDÉRANT que le développement du commerce international sur la base de l'égalité et des avantages mutuels est un élément important dans la promotion de relations amicales entre les États,

ESTIMANT que l'adoption de règles uniformes applicables aux contrats de vente internationale de marchandises et compatibles avec les différents systèmes sociaux, économiques et juridiques contribuera à l'élimination des obstacles juridiques aux échanges internationaux et favorisera le développement du commerce international,

SONT CONVENUS de ce qui suit :

PREMIÈRE PARTIE

CHAMP D'APPLICATION ET DISPOSITIONS GÉNÉRALES

CHAPITRE I

CHAMP D'APPLICATION

Article Premier

1) La présente Convention s'applique aux contrats de vente de marchandises entre des parties ayant leur établissement dans des États différents :

- a) lorsque ces États sont des États contractants; ou
- b) lorsque les règles du droit international privé mènent à l'application de la loi d'un État contractant.

2) Il n'est pas tenu compte du fait que les parties ont leur établissement dans des États différents lorsque ce fait ne ressort ni du contrat, ni de transactions antérieures entre les parties, ni de renseignements donnés par elles à un moment quelconque avant la conclusion ou lors de la conclusion du contrat.

3) Ni la nationalité des parties ni le caractère civil ou commercial des parties ou du contrat ne sont pris en considération pour l'application de la présente Convention.

Article 2

La présente Convention ne régit pas les ventes :

- (a) of goods bought for personal, family or household use, unless the seller, at any time before or at the conclusion of the contract, neither knew nor ought to have known that the goods were bought for any such use;
- (b) by auction;
- (c) on execution or otherwise by authority of law;
- (d) of stocks, shares, investment securities, negotiable instruments or money;
- (e) of ships, vessels, hovercraft or aircraft;
- (f) of electricity.

Article 3

(1) Contracts for the supply of goods to be manufactured or produced are to be considered sales unless the party who orders the goods undertakes to supply a substantial part of the materials necessary for such manufacture or production.

(2) This Convention does not apply to contracts in which the preponderant part of the obligations of the party who furnishes the goods consists in the supply of labour or other services.

Article 4

This Convention governs only the formation of the contract of sale and the rights and obligations of the seller and the buyer arising from such a contract. In particular, except as otherwise expressly provided in this Convention, it is not concerned with:

- (a) the validity of the contract or of any of its provisions or of any usage;
- (b) the effect which the contract may have on the property in the goods sold.

Article 5

This Convention does not apply to the liability of the seller for death or personal injury caused by the goods to any person.

Article 6

The parties may exclude the application of this Convention or, subject to article 12, derogate from or vary the effect of any of its provisions.

- a) de marchandises achetées pour un usage personnel, familial ou domestique, à moins que le vendeur, à un moment quelconque avant la conclusion ou lors de la conclusion du contrat, n'ait pas su et n'ait pas été censé savoir que ces marchandises étaient achetées pour un tel usage;
- b) aux enchères;
- c) sur saisie ou de quelque autre manière par autorité de justice;
- d) de valeurs mobilières, effets de commerce et monnaies;
- e) de navires, bateaux, aéroglisseurs et aéronefs;
- f) d'électricité.

Article 3

1) Sont réputés ventes les contrats de fourniture de marchandises à fabriquer ou à produire, à moins que la partie qui commande celles-ci n'ait à fournir une part essentielle des éléments matériels nécessaires à cette fabrication ou production.

2) La présente Convention ne s'applique pas aux contrats dans lesquels la part prépondérante de l'obligation de la partie qui fournit les marchandises consiste en une fourniture de main-d'oeuvre ou d'autres services.

Article 4

La présente Convention régit exclusivement la formation du contrat de vente et les droits et obligations qu'un tel contrat fait naître entre le vendeur et l'acheteur. En particulier, sauf disposition contraire expresse de la présente Convention, celle-ci ne concerne pas :

- a) la validité du contrat ni celle d'aucune de ses clauses non plus que celle des usages;
- b) les effets que le contrat peut avoir sur la propriété des marchandises vendues.

Article 5

La présente Convention ne s'applique pas à la responsabilité du vendeur pour décès ou lésions corporelles causés à quiconque par les marchandises.

Article 6

Les parties peuvent exclure l'application de la présente Convention ou, sous réserve des dispositions de l'article 12, déroger à l'une quelconque de ses dispositions ou en modifier les effets.

CHAPTER II

GENERAL PROVISIONS

Article 7

(1) In the interpretation of this Convention, regard is to be had to its international character and to the need to promote uniformity in its application and the observance of good faith in international trade.

(2) Questions concerning matters governed by this Convention which are not expressly settled in it are to be settled in conformity with the general principles on which it is based or, in the absence of such principles, in conformity with the law applicable by virtue of the rules of private international law.

Article 8

(1) For the purposes of this Convention statements made by and other conduct of a party are to be interpreted according to his intent where the other party knew or could not have been unaware what that intent was.

(2) If the preceding paragraph is not applicable, statements made by and other conduct of a party are to be interpreted according to the understanding that a reasonable person of the same kind as the other party would have had in the same circumstances.

(3) In determining the intent of a party or the understanding a reasonable person would have had, due consideration is to be given to all relevant circumstances of the case including the negotiations, any practices which the parties have established between themselves, usages and any subsequent conduct of the parties.

Article 9

(1) The parties are bound by any usage to which they have agreed and by any practices which they have established between themselves.

(2) The parties are considered, unless otherwise agreed, to have impliedly made applicable to their contract or its formation a usage of which the parties knew or ought to have known and which in international trade is widely known to, and regularly observed by, parties to contracts of the type involved in the particular trade concerned.

Article 10

For the purposes of this Convention:

- (a) if a party has more than one place of business, the place of business is that which has the closest relationship to the contract and its performance, having regard to the circumstances known to or contemplated by the parties at any time before or at the conclusion of the contract;
- (b) if a party does not have a place of business, reference is to be made to his habitual residence.

CHAPITRE II

DISPOSITIONS GÉNÉRALES

Article 7

1) Pour l'interprétation de la présente Convention, il sera tenu compte de son caractère international et de la nécessité de promouvoir l'uniformité de son application ainsi que d'assurer le respect de la bonne foi dans le commerce international.

2) Les questions concernant les matières régies par la présente Convention et qui ne sont pas expressément tranchées par elle seront réglées selon les principes généraux dont elle s'inspire ou, à défaut de ces principes, conformément à la loi applicable en vertu des règles du droit international privé.

Article 8

1) Aux fins de la présente Convention, les indications et les autres comportements d'une partie doivent être interprétés selon l'intention de celle-ci lorsque l'autre partie connaissait ou ne pouvait ignorer cette intention.

2) Si le paragraphe précédent n'est pas applicable, les indications et autres comportements d'une partie doivent être interprétés selon le sens qu'une personne raisonnable de même qualité que l'autre partie, placée dans la même situation, leur aurait donné.

3) Pour déterminer l'intention d'une partie ou ce qu'aurait compris une personne raisonnable, il doit être tenu compte des circonstances pertinentes, notamment des négociations qui ont pu avoir lieu entre les parties, des habitudes qui se sont établies entre elles, des usages et de tout comportement ultérieur des parties.

Article 9

1) Les parties sont liées par les usages auxquels elles ont consenti et par les habitudes qui se sont établies entre elles.

2) Sauf convention contraire des parties, celles-ci sont réputées s'être tacitement référées dans le contrat et pour sa formation à tout usage dont elles avaient connaissance ou auraient dû avoir connaissance et qui, dans le commerce international, est largement connu et régulièrement observé par les parties à des contrats de même type dans la branche commerciale considérée.

Article 10

Aux fins de la présente Convention :

- a) si une partie a plus d'un établissement, l'établissement à prendre en considération est celui qui a la relation la plus étroite avec le contrat et son exécution eu égard aux circonstances connues des parties ou envisagées par elles à un moment quelconque avant la conclusion ou lors de la conclusion du contrat;
- b) si une partie n'a pas d'établissement, sa résidence habituelle en tient lieu.

Article 11

A contract of sale need not be concluded in or evidenced by writing and is not subject to any other requirement as to form. It may be proved by any means, including witnesses.

Article 12

Any provision of article 11, article 29 or Part II of this Convention that allows a contract of sale or its modification or termination by agreement or any offer, acceptance or other indication of intention to be made in any form other than in writing does not apply where any party has his place of business in a Contracting State which has made a declaration under article 96 of this Convention. The parties may not derogate from or vary the effect of this article.

Article 13

For the purposes of this Convention "writing" includes telegram and telex.

PART II

FORMATION OF THE CONTRACT

Article 14

(1) A proposal for concluding a contract addressed to one or more specific persons constitutes an offer if it is sufficiently definite and indicates the intention of the offeror to be bound in case of acceptance. A proposal is sufficiently definite if it indicates the goods and expressly or implicitly fixes or makes provision for determining the quantity and the price.

(2) A proposal other than one addressed to one or more specific persons is to be considered merely as an invitation to make offers, unless the contrary is clearly indicated by the person making the proposal.

Article 15

(1) An offer becomes effective when it reaches the offeree.

(2) An offer, even if it is irrevocable, may be withdrawn if the withdrawal reaches the offeree before or at the same time as the offer.

Article 16

(1) Until a contract is concluded an offer may be revoked if the revocation reaches the offeree before he has dispatched an acceptance.

(2) However, an offer cannot be revoked:

(a) if it indicates, whether by stating a fixed time for acceptance or otherwise, that it is irrevocable; or

Article 11

Le contrat de vente n'a pas à être conclu ni constaté par écrit et n'est soumis à aucune autre condition de forme. Il peut être prouvé par tous moyens, y compris par témoins.

Article 12

Toute disposition de l'article 11, de l'article 29 ou de la deuxième partie de la présente Convention autorisant une forme autre que la forme écrite, soit pour la conclusion ou pour la modification ou la résiliation amiable d'un contrat de vente, soit pour toute offre, acceptation ou autre manifestation d'intention, ne s'applique pas dès lors qu'une des parties a son établissement dans un État contractant qui a fait une déclaration conformément à l'article 96 de la présente Convention. Les parties ne peuvent déroger au présent article ni en modifier les effets.

Article 13

Aux fins de la présente Convention, le terme «écrit» doit s'entendre également des communications adressées par télégramme ou par télex.

DEUXIÈME PARTIE

FORMATION DU CONTRAT

Article 14

1) Une proposition de conclure un contrat adressée à une ou plusieurs personnes déterminées constitue une offre si elle est suffisamment précise et si elle indique la volonté de son auteur d'être lié en cas d'acceptation. Une proposition est suffisamment précise lorsqu'elle désigne les marchandises et, expressément ou implicitement, fixe la quantité et le prix ou donne des indications permettant de les déterminer.

2) Une proposition adressée à des personnes indéterminées est considérée seulement comme une invitation à l'offre, à moins que la personne qui a fait la proposition n'ait clairement indiqué le contraire.

Article 15

1) Une offre prend effet lorsqu'elle parvient au destinataire.

2) Une offre, même si elle est irrévocable, peut être rétractée si la rétractation parvient au destinataire avant ou en même temps que l'offre.

Article 16

1) Jusqu'à ce qu'un contrat ait été conclu, une offre peut être révoquée si la révocation parvient au destinataire avant que celui-ci ait expédié une acceptation.

2) Cependant, une offre ne peut être révoquée :

- a) si elle indique, en fixant un délai déterminé pour l'acceptation, ou autrement, qu'elle est irrévocable; ou

- (b) if it was reasonable for the offeree to rely on the offer as being irrevocable and the offeree has acted in reliance on the offer.

Article 17

An offer, even if it is irrevocable, is terminated when a rejection reaches the offeror.

Article 18

(1) A statement made by or other conduct of the offeree indicating assent to an offer is an acceptance. Silence or inactivity does not in itself amount to acceptance.

(2) An acceptance of an offer becomes effective at the moment the indication of assent reaches the offeror. An acceptance is not effective if the indication of assent does not reach the offeror within the time he has fixed or, if no time is fixed, within a reasonable time, due account being taken of the circumstances of the transaction, including the rapidity of the means of communication employed by the offeror. An oral offer must be accepted immediately unless the circumstances indicate otherwise.

(3) However, if, by virtue of the offer or as a result of practices which the parties have established between themselves or of usage, the offeree may indicate assent by performing an act, such as one relating to the dispatch of the goods or payment of the price, without notice to the offeror, the acceptance is effective at the moment the act is performed, provided that the act is performed within the period of time laid down in the preceding paragraph.

Article 19

(1) A reply to an offer which purports to be an acceptance but contains additions, limitations or other modifications is a rejection of the offer and constitutes a counter-offer.

(2) However, a reply to an offer which purports to be an acceptance but contains additional or different terms which do not materially alter the terms of the offer constitutes an acceptance, unless the offeror, without undue delay, objects orally to the discrepancy or dispatches a notice to that effect. If he does not so object, the terms of the contract are the terms of the offer with the modifications contained in the acceptance.

(3) Additional or different terms relating, among other things, to the price, payment, quality and quantity of the goods, place and time of delivery, extent of one party's liability to the other or the settlement of disputes are considered to alter the terms of the offer materially.

Article 20

(1) A period of time for acceptance fixed by the offeror in a telegram or a letter begins to run from the moment the telegram is handed in for dispatch or from the date shown on the letter or, if no such date is shown, from the date shown on the envelope. A period of time for acceptance fixed by the offeror by telephone, telex or other means of instantaneous communication, begins to run from the moment that the offer reaches the offeree.

- b) s'il était raisonnable pour le destinataire de considérer l'offre comme irrévocable et s'il a agi en conséquence.

Article 17

Une offre, même irrévocable, prend fin lorsque son rejet parvient à l'auteur de l'offre.

Article 18

1) Une déclaration ou autre comportement du destinataire indiquant qu'il acquiesce à une offre constitue une acceptation. Le silence ou l'inaction à eux seuls ne peuvent valoir acceptation.

2) L'acceptation d'une offre prend effet au moment où l'indication d'acquiescement parvient à l'auteur de l'offre. L'acceptation ne prend pas effet si cette indication ne parvient pas à l'auteur de l'offre dans le délai qu'il a stipulé ou, à défaut d'une telle stipulation, dans un délai raisonnable, compte tenu des circonstances de la transaction et de la rapidité des moyens de communication utilisés par l'auteur de l'offre. Une offre verbale doit être acceptée immédiatement, à moins que les circonstances n'impliquent le contraire.

3) Cependant, si, en vertu de l'offre, des habitudes qui se sont établies entre les parties ou des usages, le destinataire de l'offre peut indiquer qu'il acquiesce en accomplissant un acte se rapportant, par exemple, à l'expédition des marchandises ou au paiement du prix, sans communication à l'auteur de l'offre, l'acceptation prend effet au moment où cet acte est accompli, pour autant qu'il le soit dans les délais prévus par le paragraphe précédent.

Article 19

1) Une réponse qui tend à être l'acceptation d'une offre, mais qui contient des additions, des limitations ou autres modifications, est un rejet de l'offre et constitue une contre-offre.

2) Cependant, une réponse qui tend à être l'acceptation d'une offre, mais qui contient des éléments complémentaires ou différents n'altérant pas substantiellement les termes de l'offre, constitue une acceptation, à moins que l'auteur de l'offre, sans retard injustifié, n'en relève les différences verbalement ou n'adresse un avis à cet effet. S'il ne le fait pas, les termes du contrat sont ceux de l'offre, avec les modifications comprises dans l'acceptation.

3) Des éléments complémentaires ou différents relatifs notamment au prix, au paiement, à la qualité et à la quantité des marchandises, au lieu et au moment de la livraison, à l'étendue de la responsabilité d'une partie à l'égard de l'autre ou au règlement des différends, sont considérés comme altérant substantiellement les termes de l'offre.

Article 20

1) Le délai d'acceptation fixé par l'auteur de l'offre dans un télégramme ou une lettre commence à courir au moment où le télégramme est remis pour expédition ou à la date qui apparaît sur la lettre ou, à défaut, à la date qui apparaît sur l'enveloppe. Le délai d'acceptation que l'auteur de l'offre fixe par téléphone, par télex ou par d'autres moyens de communication instantanés commence à courir au moment où l'offre parvient au destinataire.

(2) Official holidays or non-business days occurring during the period for acceptance are included in calculating the period. However, if a notice of acceptance cannot be delivered at the address of the offeror on the last day of the period because that day falls on an official holiday or a non-business day at the place of business of the offeror, the period is extended until the first business day which follows.

Article 21

(1) A late acceptance is nevertheless effective as an acceptance if without delay the offeror orally so informs the offeree or dispatches a notice to that effect.

(2) If a letter or other writing containing a late acceptance shows that it has been sent in such circumstances that if its transmission had been normal it would have reached the offeror in due time, the late acceptance is effective as an acceptance unless, without delay, the offeror orally informs the offeree that he considers his offer as having lapsed or dispatches a notice to that effect.

Article 22

An acceptance may be withdrawn if the withdrawal reaches the offeror before or at the same time as the acceptance would have become effective.

Article 23

A contract is concluded at the moment when an acceptance of an offer becomes effective in accordance with the provisions of this Convention.

Article 24

For the purposes of this Part of the Convention, an offer, declaration of acceptance or any other indication of intention "reaches" the addressee when it is made orally to him or delivered by any other means to him personally, to his place of business or mailing address or, if he does not have a place of business or mailing address, to his habitual residence.

PART III

SALE OF GOODS

CHAPTER I

GENERAL PROVISIONS

Article 25

A breach of contract committed by one of the parties is fundamental if it results in such detriment to the other party as substantially to deprive him of what he is entitled to expect under the contract, unless the party in breach did not foresee and a reasonable person of the same kind in the same circumstances would not have foreseen such a result.

2) Les jours fériés ou chômés qui tombent pendant que court le délai d'acceptation sont comptés dans le calcul de ce délai. Cependant, si la notification ne peut être remise à l'adresse de l'auteur de l'offre le dernier jour du délai, parce que celui-ci tombe un jour férié ou chômé au lieu d'établissement de l'auteur de l'offre, le délai est prorogé jusqu'au premier jour ouvrable suivant.

Article 21

1) Une acceptation tardive produit néanmoins effet en tant qu'acceptation si, sans retard, l'auteur de l'offre en informe verbalement le destinataire ou lui adresse un avis à cet effet.

2) Si la lettre ou autre écrit contenant une acceptation tardive révèle qu'elle a été expédiée dans des conditions telles que, si sa transmission avait été régulière, elle serait parvenue à temps à l'auteur de l'offre, l'acceptation tardive produit effet en tant qu'acceptation à moins que, sans retard, l'auteur de l'offre n'informe verbalement le destinataire de l'offre qu'il considère que son offre avait pris fin ou qu'il ne lui adresse un avis à cet effet.

Article 22

L'acceptation peut être rétractée si la rétractation parvient à l'auteur de l'offre avant le moment où l'acceptation aurait pris effet ou à ce moment.

Article 23

Le contrat est conclu au moment où l'acceptation d'une offre prend effet conformément aux dispositions de la présente Convention.

Article 24

Aux fins de la présente partie de la Convention, une offre, une déclaration d'acceptation ou toute autre manifestation d'intention «parvient» à son destinataire lorsqu'elle lui est faite verbalement ou est délivrée par tout autre moyen au destinataire lui-même, à son établissement, à son adresse postale ou, s'il n'a pas d'établissement ou d'adresse postale, à sa résidence habituelle.

TROISIÈME PARTIE

VENTE DE MARCHANDISES

CHAPITRE I

DISPOSITIONS GÉNÉRALES

Article 25

Une contravention au contrat commise par l'une des parties est essentielle lorsqu'elle cause à l'autre partie un préjudice tel qu'elle la prive substantiellement de ce que celle-ci était en droit d'attendre du contrat, à moins que la partie en défaut n'ait pas prévu un tel résultat et qu'une personne raisonnable de même qualité placée dans la même situation ne l'aurait pas prévu non plus.

Article 26

A declaration of avoidance of the contract is effective only if made by notice to the other party.

Article 27

Unless otherwise expressly provided in this Part of the Convention, if any notice, request or other communication is given or made by a party in accordance with this Part and by means appropriate in the circumstances, a delay or error in the transmission of the communication or its failure to arrive does not deprive that party of the right to rely on the communication.

Article 28

If, in accordance with the provisions of this Convention, one party is entitled to require performance of any obligation by the other party, a court is not bound to enter a judgement for specific performance unless the court would do so under its own law in respect of similar contracts of sale not governed by this Convention.

Article 29

(1) A contract may be modified or terminated by the mere agreement of the parties.

(2) A contract in writing which contains a provision requiring any modification or termination by agreement to be in writing may not be otherwise modified or terminated by agreement. However, a party may be precluded by his conduct from asserting such a provision to the extent that the other party has relied on that conduct.

*CHAPTER II**OBLIGATIONS OF THE SELLER**Article 30*

The seller must deliver the goods, hand over any documents relating to them and transfer the property in the goods, as required by the contract and this Convention.

*Section I. Delivery of the goods and handing over of documents**Article 31*

If the seller is not bound to deliver the goods at any other particular place, his obligation to deliver consists:

- (a) if the contract of sale involves carriage of the goods—in handing the goods over to the first carrier for transmission to the buyer;

Article 26

Une déclaration de résolution du contrat n'a d'effet que si elle est faite par notification à l'autre partie.

Article 27

Sauf disposition contraire expresse de la présente partie de la Convention, si une notification, demande ou autre communication est faite par une partie au contrat conformément à la présente partie et par un moyen approprié aux circonstances, un retard ou une erreur dans la transmission de la communication ou le fait qu'elle n'est pas arrivée à destination ne prive pas cette partie au contrat du droit de s'en prévaloir.

Article 28

Si, conformément aux dispositions de la présente Convention, une partie a le droit d'exiger de l'autre l'exécution d'une obligation, un tribunal n'est tenu d'ordonner l'exécution en nature que s'il le ferait en vertu de son propre droit pour des contrats de vente semblables non régis par la présente Convention.

Article 29

1) Un contrat peut être modifié ou résilié par accord amiable entre les parties.

2) Un contrat écrit qui contient une disposition stipulant que toute modification ou résiliation amiable doit être faite par écrit ne peut être modifié ou résilié à l'amiable sous une autre forme. Toutefois, le comportement de l'une des parties peut l'empêcher d'invoquer une telle disposition si l'autre partie s'est fondée sur ce comportement.

*CHAPITRE II**OBLIGATIONS DU VENDEUR**Article 30*

Le vendeur s'oblige, dans les conditions prévues au contrat et par la présente Convention, à livrer les marchandises, à en transférer la propriété et, s'il y a lieu, à remettre les documents s'y rapportant.

*Section I. Livraison des marchandises et remise des documents.**Article 31*

Si le vendeur n'est pas tenu de livrer les marchandises en un autre lieu particulier son obligation de livraison consiste :

- a) lorsque le contrat de vente implique un transport des marchandises, à remettre les marchandises au premier transporteur pour transmission à l'acheteur;

- (b) if, in cases not within the preceding subparagraph, the contract relates to specific goods, or unidentified goods to be drawn from a specific stock or to be manufactured or produced, and at the time of the conclusion of the contract the parties knew that the goods were at, or were to be manufactured or produced at, a particular place—in placing the goods at the buyer's disposal at that place;
- (c) in other cases—in placing the goods at the buyer's disposal at the place where the seller had his place of business at the time of the conclusion of the contract.

Article 32

(1) If the seller, in accordance with the contract or this Convention, hands the goods over to a carrier and if the goods are not clearly identified to the contract by markings on the goods, by shipping documents or otherwise, the seller must give the buyer notice of the consignment specifying the goods.

(2) If the seller is bound to arrange for carriage of the goods, he must make such contracts as are necessary for carriage to the place fixed by means of transportation appropriate in the circumstances and according to the usual terms for such transportation.

(3) If the seller is not bound to effect insurance in respect of the carriage of the goods, he must, at the buyer's request, provide him with all available information necessary to enable him to effect such insurance.

Article 33

The seller must deliver the goods:

- (a) if a date is fixed by or determinable from the contract, on that date;
- (b) if a period of time is fixed by or determinable from the contract, at any time within that period unless circumstances indicate that the buyer is to choose a date; or
- (c) in any other case, within a reasonable time after the conclusion of the contract.

Article 34

If the seller is bound to hand over documents relating to the goods, he must hand them over at the time and place and in the form required by the contract. If the seller has handed over documents before that time, he may, up to that time, cure any lack of conformity in the documents, if the exercise of this right does not cause the buyer unreasonable inconvenience or unreasonable expense. However, the buyer retains any right to claim damages as provided for in this Convention.

- b) lorsque, dans les cas non visés au précédent alinéa, le contrat porte sur un corps certain ou sur une chose de genre qui doit être prélevée sur une masse déterminée ou qui doit être fabriquée ou produite et lorsque, au moment de la conclusion du contrat, les parties savaient que les marchandises se trouvaient ou devaient être fabriquées ou produites en un lieu particulier, à mettre les marchandises à la disposition de l'acheteur en ce lieu;
- c) dans les autres cas, à mettre les marchandises à la disposition de l'acheteur au lieu où le vendeur avait son établissement au moment de la conclusion du contrat.

Article 32

1) Si, conformément au contrat ou à la présente Convention, le vendeur remet les marchandises à un transporteur et si les marchandises ne sont pas clairement identifiées aux fins du contrat par l'apposition d'un signe distinctif sur les marchandises, par des documents de transport ou par tout autre moyen, le vendeur doit donner à l'acheteur avis de l'expédition en désignant spécifiquement les marchandises.

2) Si le vendeur est tenu de prendre des dispositions pour le transport des marchandises, il doit conclure les contrats nécessaires pour que le transport soit effectué jusqu'au lieu prévu, par les moyens de transport appropriés aux circonstances et selon les conditions usuelles pour un tel transport.

3) Si le vendeur n'est pas tenu de souscrire lui-même une assurance de transport, il doit fournir à l'acheteur, à la demande de celui-ci, tous renseignements dont il dispose qui sont nécessaires à la conclusion de cette assurance.

Article 33

Le vendeur doit livrer les marchandises :

- a) si une date est fixée par le contrat ou déterminable par référence au contrat, à cette date;
- b) si une période de temps est fixée par le contrat ou déterminable par référence au contrat, à un moment quelconque au cours de cette période, à moins qu'il ne résulte des circonstances que c'est à l'acheteur de choisir une date; ou
- c) dans tous les autres cas, dans un délai raisonnable à partir de la conclusion du contrat.

Article 34

Si le vendeur est tenu de remettre les documents se rapportant aux marchandises, il doit s'acquitter de cette obligation au moment, au lieu et dans la forme prévue au contrat. En cas de remise anticipée, le vendeur conserve, jusqu'au moment prévu pour la remise, le droit de réparer tout défaut de conformité des documents, à condition que l'exercice de ce droit ne cause à l'acheteur ni inconvénient ni frais déraisonnables. Toutefois, l'acheteur conserve le droit de demander des dommages-intérêts conformément à la présente Convention.

*Section II. Conformity of the goods and third party claims**Article 35*

(1) The seller must deliver goods which are of the quantity, quality and description required by the contract and which are contained or packaged in the manner required by the contract.

(2) Except where the parties have agreed otherwise, the goods do not conform with the contract unless they:

- (a) are fit for the purposes for which goods of the same description would ordinarily be used;
- (b) are fit for any particular purpose expressly or impliedly made known to the seller at the time of the conclusion of the contract, except where the circumstances show that the buyer did not rely, or that it was unreasonable for him to rely, on the seller's skill and judgment;
- (c) possess the qualities of goods which the seller has held out to the buyer as a sample or model;
- (d) are contained or packaged in the manner usual for such goods or, where there is no such manner, in a manner adequate to preserve and protect the goods.

(3) The seller is not liable under subparagraphs (a) to (d) of the preceding paragraph for any lack of conformity of the goods if at the time of the conclusion of the contract the buyer knew or could not have been unaware of such lack of conformity.

Article 36

(1) The seller is liable in accordance with the contract and this Convention for any lack of conformity which exists at the time when the risk passes to the buyer, even though the lack of conformity becomes apparent only after that time.

(2) The seller is also liable for any lack of conformity which occurs after the time indicated in the preceding paragraph and which is due to a breach of any of his obligations, including a breach of any guarantee that for a period of time the goods will remain fit for their ordinary purpose or for some particular purpose or will retain specified qualities or characteristics.

Article 37

If the seller has delivered goods before the date for delivery, he may, up to that date, deliver any missing part or make up any deficiency in the quantity of the goods delivered, or deliver goods in replacement of any non-conforming goods delivered or remedy any lack of conformity in the goods delivered, provided that the exercise of this right does not cause the buyer unreasonable inconvenience or unreasonable expense. However, the buyer retains any right to claim damages as provided for in this Convention.

Article 38

(1) The buyer must examine the goods, or cause them to be examined, within as short a period as is practicable in the circumstances.

Section II. Conformité des marchandises et droits ou prétentions de tiers.

Article 35

1) Le vendeur doit livrer des marchandises dont la quantité, la qualité et le type répondent à ceux qui sont prévus au contrat, et dont l'emballage ou le conditionnement correspond à celui qui est prévu au contrat.

2) À moins que les parties n'en soient convenues autrement, les marchandises ne sont conformes au contrat que si :

- a) elles sont propres aux usages auxquels serviraient habituellement des marchandises du même type;
- b) elles sont propres à tout usage spécial qui a été porté expressément ou tacitement à la connaissance du vendeur au moment de la conclusion du contrat, sauf s'il résulte des circonstances que l'acheteur ne s'en est pas remis à la compétence ou à l'appréciation du vendeur ou qu'il n'était pas raisonnable de sa part de le faire;
- c) elles possèdent les qualités d'une marchandise que le vendeur a présentée à l'acheteur comme échantillon ou modèle;
- d) elles sont emballées ou conditionnées selon le mode habituel pour les marchandises du même type ou, à défaut de mode habituel, d'une manière propre à les conserver et à les protéger.

3) Le vendeur n'est pas responsable, au regard des alinéas a) à d) du paragraphe précédent, d'un défaut de conformité que l'acheteur connaissait ou ne pouvait ignorer au moment de la conclusion du contrat.

Article 36

1) Le vendeur est responsable, conformément au contrat et à la présente Convention, de tout défaut de conformité qui existe au moment du transfert des risques à l'acheteur, même si ce défaut n'apparaît qu'ultérieurement.

2) Le vendeur est également responsable de tout défaut de conformité qui survient après le moment indiqué au paragraphe précédent et qui est imputable à l'inexécution de l'une quelconque de ses obligations, y compris à un manquement à une garantie que, pendant une certaine période, les marchandises resteront propres à leur usage normal ou à un usage spécial ou conserveront des qualités ou caractéristiques spécifiées.

Article 37

En cas de livraison anticipée, le vendeur a le droit, jusqu'à la date prévue pour la livraison, soit de livrer une partie ou une quantité manquante, ou des marchandises nouvelles en remplacement des marchandises non conformes au contrat, soit de réparer tout défaut de conformité des marchandises, à condition que l'exercice de ce droit ne cause à l'acheteur ni inconvénients ni frais déraisonnables. Toutefois, l'acheteur conserve le droit de demander des dommages-intérêts conformément à la présente Convention.

Article 38

1) L'acheteur doit examiner les marchandises ou les faire examiner dans un délai aussi bref que possible eu égard aux circonstances.

(2) If the contract involves carriage of the goods, examination may be deferred until after the goods have arrived at their destination.

(3) If the goods are redirected in transit or redispached by the buyer without a reasonable opportunity for examination by him and at the time of the conclusion of the contract the seller knew or ought to have known of the possibility of such redirection or redispach, examination may be deferred until after the goods have arrived at the new destination.

Article 39

(1) The buyer loses the right to rely on a lack of conformity of the goods if he does not give notice to the seller specifying the nature of the lack of conformity within a reasonable time after he has discovered it or ought to have discovered it.

(2) In any event, the buyer loses the right to rely on a lack of conformity of the goods if he does not give the seller notice thereof at the latest within a period of two years from the date on which the goods were actually handed over to the buyer, unless this time-limit is inconsistent with a contractual period of guarantee.

Article 40

The seller is not entitled to rely on the provisions of articles 38 and 39 if the lack of conformity relates to facts of which he knew or could not have been unaware and which he did not disclose to the buyer.

Article 41

The seller must deliver goods which are free from any right or claim of a third party, unless the buyer agreed to take the goods subject to that right or claim. However, if such right or claim is based on industrial property or other intellectual property, the seller's obligation is governed by article 42.

Article 42

(1) The seller must deliver goods which are free from any right or claim of a third party based on industrial property or other intellectual property, of which at the time of the conclusion of the contract the seller knew or could not have been unaware, provided that the right or claim is based on industrial property or other intellectual property:

- (a) under the law of the State where the goods will be resold or otherwise used, if it was contemplated by the parties at the time of the conclusion of the contract that the goods would be resold or otherwise used in that State; or
- (b) in any other case, under the law of the State where the buyer has his place of business.

(2) The obligation of the seller under the preceding paragraph does not extend to cases where:

- (a) at the time of the conclusion of the contract the buyer knew or could not have been unaware of the right or claim; or

2) Si le contrat implique un transport des marchandises, l'examen peut être différé jusqu'à leur arrivée à destination.

3) Si les marchandises sont déroutées ou réexpédiées par l'acheteur sans que celui-ci ait eu raisonnablement la possibilité de les examiner et si, au moment de la conclusion du contrat, le vendeur connaissait ou aurait dû connaître la possibilité de ce déroutage ou de cette réexpédition, l'examen peut être différé jusqu'à l'arrivée des marchandises à leur nouvelle destination.

Article 39

1) L'acheteur est déchu du droit de se prévaloir d'un défaut de conformité s'il ne le dénonce pas au vendeur, en précisant la nature de ce défaut, dans un délai raisonnable à partir du moment où il l'a constaté ou aurait dû le constater.

2) Dans tous les cas, l'acheteur est déchu du droit de se prévaloir d'un défaut de conformité, s'il ne le dénonce pas au plus tard dans un délai de deux ans à compter de la date à laquelle les marchandises lui ont été effectivement remises, à moins que ce délai ne soit incompatible avec la durée d'une garantie contractuelle.

Article 40

Le vendeur ne peut pas se prévaloir des dispositions des articles 38 et 39 lorsque le défaut de conformité porte sur des faits qu'il connaissait ou ne pouvait ignorer et qu'il n'a pas révélés à l'acheteur.

Article 41

Le vendeur doit livrer les marchandises libres de tout droit ou prétention d'un tiers, à moins que l'acheteur n'accepte de prendre les marchandises dans ces conditions. Toutefois, si ce droit ou cette prétention est fondée sur la propriété industrielle ou autre propriété intellectuelle, l'obligation du vendeur est régie par l'article 42.

Article 42

1) Le vendeur doit livrer les marchandises libres de tout droit ou prétention d'un tiers fondé sur la propriété industrielle ou autre propriété intellectuelle, qu'il connaissait ou ne pouvait ignorer au moment de la conclusion du contrat, à condition que ce droit ou cette prétention soit fondé sur la propriété industrielle ou autre propriété intellectuelle :

- a) en vertu de la loi de l'État où les marchandises doivent être revendues ou utilisées, si les parties ont envisagé au moment de la conclusion du contrat que les marchandises seraient revendues ou utilisées dans cet État; ou
- b) dans tous les autres cas, en vertu de la loi de l'État où l'acheteur a son établissement.

2) Dans les cas suivants, le vendeur n'est pas tenu de l'obligation prévue au paragraphe précédent :

- a) au moment de la conclusion du contrat, l'acheteur connaissait ou ne pouvait ignorer l'existence du droit ou de la prétention; ou

- (b) the right or claim results from the seller's compliance with technical drawings, designs, formulae or other such specifications furnished by the buyer.

Article 43

(1) The buyer loses the right to rely on the provisions of article 41 or article 42 if he does not give notice to the seller specifying the nature of the right or claim of the third party within a reasonable time after he has become aware or ought to have become aware of the right or claim.

(2) The seller is not entitled to rely on the provisions of the preceding paragraph if he knew of the right or claim of the third party and the nature of it.

Article 44

Notwithstanding the provisions of paragraph (1) of article 39 and paragraph (1) of article 43, the buyer may reduce the price in accordance with article 50 or claim damages, except for loss of profit, if he has a reasonable excuse for his failure to give the required notice.

Section III. Remedies for breach of contract by the seller

Article 45

(1) If the seller fails to perform any of his obligations under the contract or this Convention, the buyer may:

- (a) exercise the rights provided in articles 46 to 52;
- (b) claim damages as provided in articles 74 to 77.

(2) The buyer is not deprived of any right he may have to claim damages by exercising his right to other remedies.

(3) No period of grace may be granted to the seller by a court or arbitral tribunal when the buyer resorts to a remedy for breach of contract.

Article 46

(1) The buyer may require performance by the seller of his obligations unless the buyer has resorted to a remedy which is inconsistent with this requirement.

(2) If the goods do not conform with the contract, the buyer may require delivery of substitute goods only if the lack of conformity constitutes a fundamental breach of contract and a request for substitute goods is made either in conjunction with notice given under article 39 or within a reasonable time thereafter.

(3) If the goods do not conform with the contract, the buyer may require the seller to remedy the lack of conformity by repair, unless this is unreasonable having regard to all the circumstances. A request for repair must be made either in conjunction with notice given under article 39 or within a reasonable time thereafter.

- b) le droit ou la prétention résulte de ce que le vendeur s'est conformé aux plans techniques, dessins, formules ou autres spécifications analogues fournis par l'acheteur.

Article 43

1) L'acheteur perd le droit de se prévaloir des dispositions des articles 41 et 42 s'il ne dénonce pas au vendeur le droit ou la prétention du tiers, en précisant la nature de ce droit ou de cette prétention, dans un délai raisonnable à partir du moment où il en a eu connaissance ou aurait dû en avoir connaissance.

2) Le vendeur ne peut pas se prévaloir des dispositions du paragraphe précédent s'il connaissait le droit ou la prétention du tiers et sa nature.

Article 44

Nonobstant les dispositions du paragraphe 1 de l'article 39 et du paragraphe 1 de l'article 43, l'acheteur peut réduire le prix conformément à l'article 50 ou demander des dommages-intérêts, sauf pour le gain manqué, s'il a une excuse raisonnable pour n'avoir pas procédé à la dénonciation requise.

Section III. Moyens dont dispose l'acheteur en cas de contravention au contrat par le vendeur.

Article 45

1) Si le vendeur n'a pas exécuté l'une quelconque des obligations résultant pour lui du contrat de vente ou de la présente Convention, l'acheteur est fondé à :

- a) exercer les droits prévus aux articles 46 à 52;
- b) demander les dommages-intérêts prévus aux articles 74 à 77.

2) L'acheteur ne perd pas le droit de demander des dommages-intérêts lorsqu'il exerce son droit de recourir à un autre moyen.

3) Aucun délai de grâce ne peut être accordé au vendeur par un juge ou par un arbitre lorsque l'acheteur se prévaut d'un des moyens dont il dispose en cas de contravention au contrat.

Article 46

1) L'acheteur peut exiger du vendeur l'exécution de ses obligations, à moins qu'il ne se soit prévalu d'un moyen incompatible avec cette exigence.

2) Si les marchandises ne sont pas conformes au contrat, l'acheteur ne peut exiger du vendeur la livraison de marchandises de remplacement que si le défaut de conformité constitue une contravention essentielle au contrat et si cette livraison est demandée au moment de la dénonciation du défaut de conformité faite conformément à l'article 39 ou dans un délai raisonnable à compter de cette dénonciation.

3) Si les marchandises ne sont pas conformes au contrat, l'acheteur peut exiger du vendeur qu'il répare le défaut de conformité, à moins que cela ne soit déraisonnable compte tenu de toutes les circonstances. La réparation doit être demandée au moment de la dénonciation du défaut de conformité faite conformément à l'article 39 ou dans un délai raisonnable à compter de cette dénonciation.

Article 47

(1) The buyer may fix an additional period of time of reasonable length for performance by the seller of his obligations.

(2) Unless the buyer has received notice from the seller that he will not perform within the period so fixed, the buyer may not, during that period, resort to any remedy for breach of contract. However, the buyer is not deprived thereby of any right he may have to claim damages for delay in performance.

Article 48

(1) Subject to article 49, the seller may, even after the date for delivery, remedy at his own expense any failure to perform his obligations, if he can do so without unreasonable delay and without causing the buyer unreasonable inconvenience or uncertainty of reimbursement by the seller of expenses advanced by the buyer. However, the buyer retains any right to claim damages as provided for in this Convention.

(2) If the seller requests the buyer to make known whether he will accept performance and the buyer does not comply with the request within a reasonable time, the seller may perform within the time indicated in his request. The buyer may not, during that period of time, resort to any remedy which is inconsistent with performance by the seller.

(3) A notice by the seller that he will perform within a specified period of time is assumed to include a request, under the preceding paragraph, that the buyer make known his decision.

(4) A request or notice by the seller under paragraph (2) or (3) of this article is not effective unless received by the buyer.

Article 49

(1) The buyer may declare the contract avoided:

- (a) if the failure by the seller to perform any of his obligations under the contract or this Convention amounts to a fundamental breach of contract; or
- (b) in case of non-delivery, if the seller does not deliver the goods within the additional period of time fixed by the buyer in accordance with paragraph (1) of article 47 or declares that he will not deliver within the period fixed.

(2) However, in cases where the seller has delivered the goods, the buyer loses the right to declare the contract avoided unless he does so:

- (a) in respect of late delivery, within a reasonable time after he has become aware that delivery has been made;
- (b) in respect of any breach other than late delivery, within a reasonable time:
 - (i) after he knew or ought to have known of the breach;

Article 47

1) L'acheteur peut impartir au vendeur un délai supplémentaire de durée raisonnable pour l'exécution de ses obligations.

2) À moins qu'il n'ait reçu du vendeur une notification l'informant que celui-ci n'exécute pas ses obligations dans le délai ainsi imparti, l'acheteur ne peut, avant l'expiration de ce délai, se prévaloir d'aucun des moyens dont il dispose en cas de contravention au contrat. Toutefois, l'acheteur ne perd pas, de ce fait, le droit de demander des dommages-intérêts pour retard dans l'exécution.

Article 48

1) Sous réserve de l'article 49, le vendeur peut, même après la date de la livraison, réparer à ses frais tout manquement à ses obligations, à condition que cela n'entraîne pas un retard déraisonnable et ne cause à l'acheteur ni inconvénients déraisonnables ni incertitude quant au remboursement par le vendeur des frais faits par l'acheteur. Toutefois, l'acheteur conserve le droit de demander des dommages-intérêts conformément à la présente Convention.

2) Si le vendeur demande à l'acheteur de lui faire savoir s'il accepte l'exécution et si l'acheteur ne lui répond pas dans un délai raisonnable, le vendeur peut exécuter ses obligations dans le délai qu'il a indiqué dans sa demande. L'acheteur ne peut, avant l'expiration de ce délai, se prévaloir d'un moyen incompatible avec l'exécution par le vendeur de ses obligations.

3) Lorsque le vendeur notifie à l'acheteur son intention d'exécuter ses obligations dans un délai déterminé, il est présumé demander à l'acheteur de lui faire connaître sa décision conformément au paragraphe précédent.

4) Une demande ou une notification faite par le vendeur en vertu des paragraphes 2 ou 3 du présent article n'a d'effet que si elle est reçue par l'acheteur.

Article 49

1) L'acheteur peut déclarer le contrat résolu :

- a) si l'inexécution par le vendeur de l'une quelconque des obligations résultant pour lui du contrat ou de la présente Convention constitue une contravention essentielle au contrat; ou
- b) en cas de défaut de livraison, si le vendeur ne livre pas les marchandises dans le délai supplémentaire imparti par l'acheteur conformément au paragraphe 1 de l'article 47 ou s'il déclare qu'il ne les livrera pas dans le délai ainsi imparti.

2) Cependant, lorsque le vendeur a livré les marchandises, l'acheteur est déchu du droit de déclarer le contrat résolu s'il ne l'a pas fait :

- a) en cas de livraison tardive, dans un délai raisonnable à partir du moment où il a su que la livraison avait été effectuée;
- b) en cas de contravention autre que la livraison tardive, dans un délai raisonnable :

- (i) à partir du moment où il a eu connaissance ou aurait dû avoir connaissance de cette contravention;

- (ii) after the expiration of any additional period of time fixed by the buyer in accordance with paragraph (1) of article 47, or after the seller has declared that he will not perform his obligations within such an additional period; or
- (iii) after the expiration of any additional period of time indicated by the seller in accordance with paragraph (2) of article 48, or after the buyer has declared that he will not accept performance.

Article 50

If the goods do not conform with the contract and whether or not the price has already been paid, the buyer may reduce the price in the same proportion as the value that the goods actually delivered had at the time of the delivery bears to the value that conforming goods would have had at that time. However, if the seller remedies any failure to perform his obligations in accordance with article 37 or article 48 or if the buyer refuses to accept performance by the seller in accordance with those articles, the buyer may not reduce the price.

Article 51

(1) If the seller delivers only a part of the goods or if only a part of the goods delivered is in conformity with the contract, articles 46 to 50 apply in respect of the part which is missing or which does not conform.

(2) The buyer may declare the contract avoided in its entirety only if the failure to make delivery completely or in conformity with the contract amounts to a fundamental breach of the contract.

Article 52

(1) If the seller delivers the goods before the date fixed, the buyer may take delivery or refuse to take delivery.

(2) If the seller delivers a quantity of goods greater than that provided for in the contract, the buyer may take delivery or refuse to take delivery of the excess quantity. If the buyer takes delivery of all or part of the excess quantity, he must pay for it at the contract rate.

CHAPTER III

OBLIGATIONS OF THE BUYER

Article 53

The buyer must pay the price for the goods and take delivery of them as required by the contract and this Convention.

- (ii) après l'expiration de tout délai supplémentaire imparti par l'acheteur conformément au paragraphe 1 de l'article 47 ou après que le vendeur a déclaré qu'il n'exécuterait pas ses obligations dans ce délai supplémentaire; ou
- (iii) après l'expiration de tout délai supplémentaire indiqué par le vendeur conformément au paragraphe 2 de l'article 48 ou après que l'acheteur a déclaré qu'il n'accepterait pas l'exécution.

Article 50

En cas de défaut de conformité des marchandises au contrat, que le prix ait été ou non déjà payé, l'acheteur peut réduire le prix proportionnellement à la différence entre la valeur que les marchandises effectivement livrées avaient au moment de la livraison et la valeur que des marchandises conformes auraient eue à ce moment. Cependant, si le vendeur répare tout manquement à ses obligations conformément à l'article 37 ou à l'article 48 ou si l'acheteur refuse d'accepter l'exécution par le vendeur conformément à ces articles, l'acheteur ne peut réduire le prix.

Article 51

1) Si le vendeur ne livre qu'une partie des marchandises ou si une partie seulement des marchandises livrées est conforme au contrat, les articles 46 à 50 s'appliquent en ce qui concerne la partie manquante ou non conforme.

2) L'acheteur ne peut déclarer le contrat résolu dans sa totalité que si l'inexécution partielle ou le défaut de conformité constitue une contravention essentielle au contrat.

Article 52

1) Si le vendeur livre les marchandises avant la date fixée, l'acheteur a la faculté d'en prendre livraison ou de refuser d'en prendre livraison.

2) Si le vendeur livre une quantité supérieure à celle prévue au contrat, l'acheteur peut accepter ou refuser de prendre livraison de la quantité excédentaire. Si l'acheteur accepte d'en prendre livraison en tout ou en partie, il doit la payer au tarif du contrat.

CHAPITRE III

OBLIGATIONS DE L'ACHETEUR

Article 53

L'acheteur s'oblige, dans les conditions prévues au contrat et par la présente Convention, à payer le prix et à prendre livraison des marchandises.

*Section I. Payment of the price**Article 54*

The buyer's obligation to pay the price includes taking such steps and complying with such formalities as may be required under the contract or any laws and regulations to enable payment to be made.

Article 55

Where a contract has been validly concluded but does not expressly or implicitly fix or make provision for determining the price, the parties are considered, in the absence of any indication to the contrary, to have impliedly made reference to the price generally charged at the time of the conclusion of the contract for such goods sold under comparable circumstances in the trade concerned.

Article 56

If the price is fixed according to the weight of the goods, in case of doubt it is to be determined by the net weight.

Article 57

(1) If the buyer is not bound to pay the price at any other particular place, he must pay it to the seller:

- (a) at the seller's place of business; or
- (b) if the payment is to be made against the handing over of the goods or of documents, at the place where the handing over takes place.

(2) The seller must bear any increase in the expenses incidental to payment which is caused by a change in his place of business subsequent to the conclusion of the contract.

Article 58

(1) If the buyer is not bound to pay the price at any other specific time, he must pay it when the seller places either the goods or documents controlling their disposition at the buyer's disposal in accordance with the contract and this Convention. The seller may make such payment a condition for handing over the goods or documents.

(2) If the contract involves carriage of the goods, the seller may dispatch the goods on terms whereby the goods, or documents controlling their disposition, will not be handed over to the buyer except against payment of the price.

(3) The buyer is not bound to pay the price until he has had an opportunity to examine the goods, unless the procedures for delivery or payment agreed upon by the parties are inconsistent with his having such an opportunity.

*Section I. Paiement du prix.**Article 54*

L'obligation qu'a l'acheteur de payer le prix comprend celle de prendre les mesures et d'accomplir les formalités destinées à permettre le paiement du prix qui sont prévues par le contrat ou par les lois et les règlements.

Article 55

Si la vente est valablement conclue sans que le prix des marchandises vendues ait été fixé dans le contrat expressément ou implicitement ou par une disposition permettant de le déterminer, les parties sont réputées, sauf indications contraires, s'être tacitement référées au prix habituellement pratiqué au moment de la conclusion du contrat, dans la branche commerciale considérée, pour les mêmes marchandises vendues dans des circonstances comparables.

Article 56

Si le prix est fixé d'après le poids des marchandises, c'est le poids net qui, en cas de doute, détermine ce prix.

Article 57

1) Si l'acheteur n'est pas tenu de payer le prix en un autre lieu particulier, il doit payer le vendeur :

- a) à l'établissement de celui-ci; ou
- b) si le paiement doit être fait contre la remise des marchandises ou des documents, au lieu de cette remise.

2) Le vendeur doit supporter toute augmentation des frais accessoires au paiement qui résultent de son changement d'établissement après la conclusion du contrat.

Article 58

1) Si l'acheteur n'est pas tenu de payer le prix à un autre moment déterminé, il doit le payer lorsque, conformément au contrat et à la présente Convention, le vendeur met à sa disposition soit les marchandises soit des documents représentatifs des marchandises. Le vendeur peut faire du paiement une condition de la remise des marchandises ou des documents.

2) Si le contrat implique un transport des marchandises, le vendeur peut en faire l'expédition sous condition que celles-ci ou les documents représentatifs ne seront remis à l'acheteur que contre paiement du prix.

3) L'acheteur n'est pas tenu de payer le prix avant d'avoir eu la possibilité d'examiner les marchandises, à moins que les modalités de livraison ou de paiement dont sont convenues les parties ne lui en laissent pas la possibilité.

Article 59

The buyer must pay the price on the date fixed by or determinable from the contract and this Convention without the need for any request or compliance with any formality on the part of the seller.

*Section II. Taking delivery**Article 60*

The buyer's obligation to take delivery consists:

- (a) in doing all the acts which could reasonably be expected of him in order to enable the seller to make delivery; and
- (b) in taking over the goods.

*Section III. Remedies for breach of contract by the buyer**Article 61*

(1) If the buyer fails to perform any of his obligations under the contract or this Convention, the seller may:

- (a) exercise the rights provided in articles 62 to 65;
- (b) claim damages as provided in articles 74 to 77.

(2) The seller is not deprived of any right he may have to claim damages by exercising his right to other remedies.

(3) No period of grace may be granted to the buyer by a court or arbitral tribunal when the seller resorts to a remedy for breach of contract.

Article 62

The seller may require the buyer to pay the price, take delivery or perform his other obligations, unless the seller has resorted to a remedy which is inconsistent with this requirement.

Article 63

(1) The seller may fix an additional period of time of reasonable length for performance by the buyer of his obligations.

(2) Unless the seller has received notice from the buyer that he will not perform within the period so fixed, the seller may not, during that period, resort to any remedy for breach of contract. However, the seller is not deprived thereby of any right he may have to claim damages for delay in performance.

Article 59

L'acheteur doit payer le prix à la date fixée au contrat ou résultant du contrat et de la présente Convention, sans qu'il soit besoin d'aucune demande ou autre formalité de la part du vendeur.

*Section II. Prise de livraison.**Article 60*

L'obligation de l'acheteur de prendre livraison consiste :

- a) à accomplir tout acte qu'on peut raisonnablement attendre de lui pour permettre au vendeur d'effectuer la livraison; et
- b) à retirer les marchandises.

*Section III. Moyens dont dispose le vendeur en cas de contravention au contrat par l'acheteur.**Article 61*

1) Si l'acheteur n'a pas exécuté l'une quelconque des obligations résultant pour lui du contrat de vente ou de la présente Convention, le vendeur est fondé à :

- a) exercer les droits prévus aux articles 62 à 65;
- b) demander les dommages-intérêts prévus aux articles 74 à 77.

2) Le vendeur ne perd pas le droit de demander des dommages-intérêts lorsqu'il exerce son droit de recourir à un autre moyen.

3) Aucun délai de grâce ne peut être accordé à l'acheteur par un juge ou par un arbitre lorsque le vendeur se prévaut d'un des moyens dont il dispose en cas de contravention au contrat.

Article 62

Le vendeur peut exiger de l'acheteur le paiement du prix, la prise de livraison des marchandises ou l'exécution des autres obligations de l'acheteur, à moins qu'il ne se soit prévalu d'un moyen incompatible avec ces exigences.

Article 63

1) Le vendeur peut impartir à l'acheteur un délai supplémentaire de durée raisonnable pour l'exécution de ses obligations.

2) À moins qu'il n'ait reçu de l'acheteur une notification l'informant que celui-ci n'exécute pas ses obligations dans le délai ainsi imparti, le vendeur ne peut, avant l'expiration de ce délai, se prévaloir d'aucun des moyens dont il dispose en cas de contravention au contrat. Toutefois, le vendeur ne perd pas, de ce fait, le droit de demander des dommages-intérêts pour retard dans l'exécution.

Article 64

- (1) The seller may declare the contract avoided:
- (a) if the failure by the buyer to perform any of his obligations under the contract or this Convention amounts to a fundamental breach of contract; or
 - (b) if the buyer does not, within the additional period of time fixed by the seller in accordance with paragraph (1) of article 63, perform his obligation to pay the price or take delivery of the goods, or if he declares that he will not do so within the period so fixed.
- (2) However, in cases where the buyer has paid the price, the seller loses the right to declare the contract avoided unless he does so:
- (a) in respect of late performance by the buyer, before the seller has become aware that performance has been rendered; or
 - (b) in respect of any breach other than late performance by the buyer, within a reasonable time:
 - (i) after the seller knew or ought to have known of the breach; or
 - (ii) after the expiration of any additional period of time fixed by the seller in accordance with paragraph (1) of article 63, or after the buyer has declared that he will not perform his obligations within such an additional period.

Article 65

- (1) If under the contract the buyer is to specify the form, measurement or other features of the goods and he fails to make such specification either on the date agreed upon or within a reasonable time after receipt of a request from the seller, the seller may, without prejudice to any other rights he may have, make the specification himself in accordance with the requirements of the buyer that may be known to him.
- (2) If the seller makes the specification himself, he must inform the buyer of the details thereof and must fix a reasonable time within which the buyer may make a different specification. If, after receipt of such a communication, the buyer fails to do so within the time so fixed, the specification made by the seller is binding.

*CHAPTER IV**PASSING OF RISK**Article 66*

Loss of or damage to the goods after the risk has passed to the buyer does not discharge him from his obligation to pay the price, unless the loss or damage is due to an act or omission of the seller.

Article 64

- 1) Le vendeur peut déclarer le contrat résolu :
 - a) si l'inexécution par l'acheteur de l'une quelconque des obligations résultant pour lui du contrat ou de la présente Convention constitue une contravention essentielle au contrat; ou
 - b) si l'acheteur n'exécute pas son obligation de payer le prix ou ne prend pas livraison des marchandises dans le délai supplémentaire imparti par le vendeur conformément au paragraphe 1 de l'article 63 ou s'il déclare qu'il ne le fera pas dans le délai ainsi imparti.
- 2) Cependant, lorsque l'acheteur a payé le prix, le vendeur est déchu du droit de déclarer le contrat résolu s'il ne l'a pas fait :
 - a) en cas d'exécution tardive par l'acheteur, avant d'avoir su qu'il y avait eu exécution; ou
 - b) en cas de contravention pour l'acheteur autre que l'exécution tardive, dans un délai raisonnable :
 - (i) à partir du moment où le vendeur a eu connaissance ou aurait dû avoir connaissance de cette contravention; ou
 - (ii) après l'expiration de tout délai supplémentaire imparti par le vendeur conformément au paragraphe 1 de l'article 63 ou après que l'acheteur ait déclaré qu'il n'exécuterait pas ses obligations dans ce délai supplémentaire.

Article 65

- 1) Si le contrat prévoit que l'acheteur doit spécifier la forme, la mesure ou d'autres caractéristiques des marchandises et si l'acheteur n'effectue pas cette spécification à la date convenue ou dans un délai raisonnable à compter de la réception d'une demande du vendeur, celui-ci peut, sans préjudice de tous autres droits qu'il peut avoir, effectuer lui-même cette spécification d'après les besoins de l'acheteur dont il peut avoir connaissance.
- 2) Si le vendeur effectue lui-même la spécification, il doit en faire connaître les modalités à l'acheteur et lui impartir un délai raisonnable pour une spécification différente. Si, après réception de la communication du vendeur, l'acheteur n'utilise pas cette possibilité dans le délai ainsi imparti, la spécification effectuée par le vendeur est définitive.

CHAPITRE IV

TRANSFERT DES RISQUES

Article 66

La perte ou la détérioration des marchandises survenue après le transfert des risques à l'acheteur ne libère pas celui-ci de son obligation de payer le prix, à moins que ces événements ne soient dus à un fait du vendeur.

Article 67

(1) If the contract of sale involves carriage of the goods and the seller is not bound to hand them over at a particular place, the risk passes to the buyer when the goods are handed over to the first carrier for transmission to the buyer in accordance with the contract of sale. If the seller is bound to hand the goods over to a carrier at a particular place, the risk does not pass to the buyer until the goods are handed over to the carrier at that place. The fact that the seller is authorized to retain documents controlling the disposition of the goods does not affect the passage of the risk.

(2) Nevertheless, the risk does not pass to the buyer until the goods are clearly identified to the contract, whether by markings on the goods, by shipping documents, by notice given to the buyer or otherwise.

Article 68

The risk in respect of goods sold in transit passes to the buyer from the time of the conclusion of the contract. However, if the circumstances so indicate, the risk is assumed by the buyer from the time the goods were handed over to the carrier who issued the documents embodying the contract of carriage. Nevertheless, if at the time of the conclusion of the contract of sale the seller knew or ought to have known that the goods had been lost or damaged and did not disclose this to the buyer, the loss or damage is at the risk of the seller.

Article 69

(1) In cases not within articles 67 and 68, the risk passes to the buyer when he takes over the goods or, if he does not do so in due time, from the time when the goods are placed at his disposal and he commits a breach of contract by failing to take delivery.

(2) However, if the buyer is bound to take over the goods at a place other than a place of business of the seller, the risk passes when delivery is due and the buyer is aware of the fact that the goods are placed at his disposal at that place.

(3) If the contract relates to goods not then identified, the goods are considered not to be placed at the disposal of the buyer until they are clearly identified to the contract.

Article 70

If the seller has committed a fundamental breach of contract, articles 67, 68 and 69 do not impair the remedies available to the buyer on account of the breach.

Article 67

1) Lorsque le contrat de vente implique un transport des marchandises et que le vendeur n'est pas tenu de les remettre en un lieu déterminé, les risques sont transférés à l'acheteur à partir de la remise des marchandises au premier transporteur pour transmission à l'acheteur conformément au contrat de vente. Lorsque le vendeur est tenu de remettre les marchandises à un transporteur en un lieu déterminé, les risques ne sont pas transférés à l'acheteur tant que les marchandises n'ont pas été remises au transporteur en ce lieu. Le fait que le vendeur soit autorisé à conserver les documents représentatifs des marchandises n'affecte pas le transfert des risques.

2) Cependant, les risques ne sont pas transférés à l'acheteur tant que les marchandises n'ont pas été clairement identifiées aux fins du contrat, que ce soit par l'apposition d'un signe distinctif sur les marchandises, par des documents de transport, par un avis donné à l'acheteur ou par tout autre moyen.

Article 68

En ce qui concerne les marchandises vendues en cours de transport, les risques sont transférés à l'acheteur à partir du moment où le contrat est conclu. Toutefois, si les circonstances l'impliquent, les risques sont à la charge de l'acheteur à compter du moment où les marchandises ont été remises au transporteur qui a émis les documents constatant le contrat de transport. Néanmoins, si, au moment de la conclusion du contrat de vente, le vendeur avait connaissance du fait que les marchandises avaient péri ou avaient été détériorées et qu'il n'en a pas informé l'acheteur, la perte ou la détérioration est à la charge du vendeur.

Article 69

1) Dans les cas non visés par les articles 67 et 68, les risques sont transférés à l'acheteur lorsqu'il retire les marchandises ou, s'il ne le fait pas en temps voulu, à partir du moment où les marchandises sont mises à sa disposition et où il commet une contravention au contrat en n'en prenant pas livraison.

2) Cependant, si l'acheteur est tenu de retirer les marchandises en un lieu autre qu'un établissement du vendeur, les risques sont transférés lorsque la livraison est due et que l'acheteur sait que les marchandises sont mises à sa disposition en ce lieu.

3) Si la vente porte sur des marchandises non encore individualisées, les marchandises ne sont réputées avoir été mises à la disposition de l'acheteur que lorsqu'elles ont été clairement identifiées aux fins du contrat.

Article 70

Si le vendeur a commis une contravention essentielle au contrat, les dispositions des articles 67, 68 et 69 ne portent pas atteinte aux moyens dont l'acheteur dispose en raison de cette contravention.

CHAPTER V

PROVISIONS COMMON TO THE OBLIGATIONS OF THE SELLER
AND OF THE BUYERSection I. *Anticipatory breach and instalment contracts**Article 71*

(1) A party may suspend the performance of his obligations if, after the conclusion of the contract, it becomes apparent that the other party will not perform a substantial part of his obligations as a result of:

- (a) a serious deficiency in his ability to perform or in his creditworthiness; or
- (b) his conduct in preparing to perform or in performing the contract.

(2) If the seller has already dispatched the goods before the grounds described in the preceding paragraph become evident, he may prevent the handing over of the goods to the buyer even though the buyer holds a document which entitles him to obtain them. The present paragraph relates only to the rights in the goods as between the buyer and the seller.

(3) A party suspending performance, whether before or after dispatch of the goods, must immediately give notice of the suspension to the other party and must continue with performance if the other party provides adequate assurance of his performance.

Article 72

(1) If prior to the date for performance of the contract it is clear that one of the parties will commit a fundamental breach of contract, the other party may declare the contract avoided.

(2) If time allows, the party intending to declare the contract avoided must give reasonable notice to the other party in order to permit him to provide adequate assurance of his performance.

(3) The requirements of the preceding paragraph do not apply if the other party has declared that he will not perform his obligations.

Article 73

(1) In the case of a contract for delivery of goods by instalments, if the failure of one party to perform any of his obligations in respect of any instalment constitutes a fundamental breach of contract with respect to that instalment, the other party may declare the contract avoided with respect to that instalment.

(2) If one party's failure to perform any of his obligations in respect of any instalment gives the other party good grounds to conclude that a fundamental breach of contract will occur with respect to future instalments, he may declare the contract avoided for the future, provided that he does so within a reasonable time.

CHAPITRE V

DISPOSITIONS COMMUNES AUX OBLIGATIONS DU VENDEUR ET DE L'ACHETEUR

Section I. *Contravention anticipée et contrats à livraisons successives.**Article 71*

1) Une partie peut différer l'exécution de ses obligations lorsqu'il apparaît, après la conclusion du contrat, que l'autre partie n'exécutera pas une partie essentielle de ses obligations du fait :

- a) d'une grave insuffisance dans la capacité d'exécution de cette partie ou sa solvabilité; ou
- b) de la manière dont elle s'apprête à exécuter ou exécute le contrat.

2) Si le vendeur a déjà expédié les marchandises lorsque se révèlent les raisons prévues au paragraphe précédent, il peut s'opposer à ce que les marchandises soient remises à l'acheteur, même si celui-ci détient un document lui permettant de les obtenir. Le présent paragraphe ne concerne que les droits respectifs du vendeur et de l'acheteur sur les marchandises.

3) La partie qui diffère l'exécution, avant ou après l'expédition des marchandises, doit adresser immédiatement une notification à cet effet à l'autre partie, et elle doit procéder à l'exécution si l'autre partie donne des assurances suffisantes de la bonne exécution de ses obligations.

Article 72

1) Si, avant la date de l'exécution du contrat, il est manifeste qu'une partie commettra une contravention essentielle au contrat, l'autre partie peut déclarer celui-ci résolu.

2) Si elle dispose du temps nécessaire, la partie qui a l'intention de déclarer le contrat résolu doit le notifier à l'autre partie dans des conditions raisonnables pour lui permettre de donner des assurances suffisantes de la bonne exécution de ses obligations.

3) Les dispositions du paragraphe précédent ne s'appliquent pas si l'autre partie a déclaré qu'elle n'exécuterait pas ses obligations.

Article 73

1) Dans les contrats à livraisons successives, si l'inexécution par l'une des parties d'une obligation relative à une livraison constitue une contravention essentielle au contrat en ce qui concerne cette livraison, l'autre partie peut déclarer le contrat résolu pour ladite livraison.

2) Si l'inexécution par l'une des parties d'une obligation relative à une livraison donne à l'autre partie de sérieuses raisons de penser qu'il y aura contravention essentielle au contrat en ce qui concerne des obligations futures, elle peut déclarer le contrat résolu pour l'avenir, à condition de le faire dans un délai raisonnable.

(3) A buyer who declares the contract avoided in respect of any delivery may, at the same time, declare it avoided in respect of deliveries already made or of future deliveries if, by reason of their interdependence, those deliveries could not be used for the purpose contemplated by the parties at the time of the conclusion of the contract.

Section II. *Damages*

Article 74

Damages for breach of contract by one party consist of a sum equal to the loss, including loss of profit, suffered by the other party as a consequence of the breach. Such damages may not exceed the loss which the party in breach foresaw or ought to have foreseen at the time of the conclusion of the contract, in the light of the facts and matters of which he then knew or ought to have known, as a possible consequence of the breach of contract.

Article 75

If the contract is avoided and if, in a reasonable manner and within a reasonable time after avoidance, the buyer has bought goods in replacement or the seller has resold the goods, the party claiming damages may recover the difference between the contract price and the price in the substitute transaction as well as any further damages recoverable under article 74.

Article 76

(1) If the contract is avoided and there is a current price for the goods, the party claiming damages may, if he has not made a purchase or resale under article 75, recover the difference between the price fixed by the contract and the current price at the time of avoidance as well as any further damages recoverable under article 74. If, however, the party claiming damages has avoided the contract after taking over the goods, the current price at the time of such taking over shall be applied instead of the current price at the time of avoidance.

(2) For the purposes of the preceding paragraph, the current price is the price prevailing at the place where delivery of the goods should have been made or, if there is no current price at that place, the price at such other place as serves as a reasonable substitute, making due allowance for differences in the cost of transporting the goods.

Article 77

A party who relies on a breach of contract must take such measures as are reasonable in the circumstances to mitigate the loss, including loss of profit, resulting from the breach. If he fails to take such measures, the party in breach may claim a reduction in the damages in the amount by which the loss should have been mitigated.

3) L'acheteur qui déclare le contrat résolu pour une livraison peut, en même temps, le déclarer résolu pour les livraisons déjà reçues ou pour les livraisons futures si, en raison de leur connexité, ces livraisons ne peuvent être utilisées aux fins envisagées par les parties au moment de la conclusion du contrat.

Section II. *Dommages-intérêts.*

Article 74

Les dommages-intérêts pour une contravention au contrat commise par une partie sont égaux à la perte subie et au gain manqué par l'autre partie par suite de la contravention. Ces dommages-intérêts ne peuvent être supérieurs à la perte subie et au gain manqué que la partie en défaut avait prévu ou aurait dû prévoir au moment de la conclusion du contrat, en considérant les faits dont elle avait connaissance ou aurait dû avoir connaissance, comme étant des conséquences possibles de la contravention au contrat.

Article 75

Lorsque le contrat est résolu et que, d'une manière raisonnable et dans un délai raisonnable après la résolution, l'acheteur a procédé à un achat de remplacement ou le vendeur à une vente compensatoire, la partie qui demande des dommages-intérêts peut obtenir la différence entre le prix du contrat et le prix de l'achat de remplacement ou de la vente compensatoire ainsi que tous autres dommages-intérêts qui peuvent être dus en vertu de l'article 74.

Article 76

1) Lorsque le contrat est résolu et que les marchandises ont un prix courant, la partie qui demande des dommages-intérêts peut, si elle n'a pas procédé à un achat de remplacement ou à une vente compensatoire au titre de l'article 75, obtenir la différence entre le prix fixé dans le contrat et le prix courant au moment de la résolution ainsi que tous autres dommages-intérêts qui peuvent être dus au titre de l'article 74. Néanmoins, si la partie qui demande des dommages-intérêts a déclaré le contrat résolu après avoir pris possession des marchandises, c'est le prix courant au moment de la prise de possession qui est applicable et non pas le prix courant au moment de la résolution.

2) Aux fins du paragraphe précédent, le prix courant est celui du lieu où la livraison des marchandises aurait dû être effectuée ou, à défaut de prix courant en ce lieu, le prix courant pratiqué en un autre lieu qu'il apparaît raisonnable de prendre comme lieu de référence, en tenant compte des différences dans les frais de transport des marchandises.

Article 77

La partie qui invoque la contravention au contrat doit prendre les mesures raisonnables, eu égard aux circonstances, pour limiter la perte, y compris le gain manqué, résultant de la contravention. Si elle néglige de le faire, la partie défaut peut demander une réduction des dommages-intérêts égale au montant de la perte qui aurait dû être évitée.

Section III. *Interest**Article 78*

If a party fails to pay the price or any other sum that is in arrears, the other party is entitled to interest on it, without prejudice to any claim for damages recoverable under article 74.

Section IV. *Exemptions**Article 79*

(1) A party is not liable for a failure to perform any of his obligations if he proves that the failure was due to an impediment beyond his control and that he could not reasonably be expected to have taken the impediment into account at the time of the conclusion of the contract or to have avoided or overcome it or its consequences.

(2) If the party's failure is due to the failure by a third person whom he has engaged to perform the whole or a part of the contract, that party is exempt from liability only if:

(a) he is exempt under the preceding paragraph; and

(b) the person whom he has so engaged would be so exempt if the provisions of that paragraph were applied to him.

(3) The exemption provided by this article has effect for the period during which the impediment exists.

(4) The party who fails to perform must give notice to the other party of the impediment and its effect on his ability to perform. If the notice is not received by the other party within a reasonable time after the party who fails to perform knew or ought to have known of the impediment, he is liable for damages resulting from such non-receipt.

(5) Nothing in this article prevents either party from exercising any right other than to claim damages under this Convention.

Article 80

A party may not rely on a failure of the other party to perform, to the extent that such failure was caused by the first party's act or omission.

Section V. *Effects of avoidance**Article 81*

(1) Avoidance of the contract releases both parties from their obligations under it, subject to any damages which may be due. Avoidance does not affect any provision of the contract for the settlement of disputes or any other provision of the contract governing the rights and obligations of the parties consequent upon the avoidance of the contract.

(2) A party who has performed the contract either wholly or in part may claim restitution from the other party of whatever the first party has supplied or paid under the contract. If both parties are bound to make restitution, they must do so concurrently.

Section III. *Intérêts.**Article 78*

Si une partie ne paie pas le prix ou toute autre somme due, l'autre partie a droit à des intérêts sur cette somme, sans préjudice des dommages-intérêts qu'elle serait fondée à demander en vertu de l'article 74.

Section IV. *Exonération.**Article 79*

1) Une partie n'est pas responsable de l'inexécution de l'une quelconque de ses obligations si elle prouve que cette inexécution est due à un empêchement indépendant de sa volonté et que l'on ne pouvait raisonnablement attendre d'elle qu'elle le prenne en considération au moment de la conclusion du contrat, qu'elle le prévienne ou le surmonte ou qu'elle en prévienne ou surmonte les conséquences.

2) Si l'inexécution par une partie est due à l'inexécution par un tiers qu'elle a chargé d'exécuter tout ou partie du contrat, cette partie n'est exonérée de sa responsabilité que dans le cas :

- a) où elle l'est en vertu des dispositions du paragraphe précédent; et
- b) où le tiers serait lui aussi exonéré si les dispositions de ce paragraphe lui étaient appliquées.

3) L'exonération prévue par le présent article produit effet pendant la durée de l'empêchement.

4) La partie qui n'a pas exécuté doit avertir l'autre partie de l'empêchement et de ses effets sur sa capacité d'exécuter. Si l'avertissement n'arrive pas à destination dans un délai raisonnable à partir du moment où la partie qui n'a pas exécuté a connu ou aurait dû connaître l'empêchement, celle-ci est tenue à des dommages-intérêts du fait de ce défaut de réception.

5) Les dispositions du présent article n'interdisent pas à une partie d'exercer tous ses droits autres que celui d'obtenir des dommages-intérêts en vertu de la présente Convention.

Article 80

Une partie ne peut pas se prévaloir d'une inexécution par l'autre partie dans la mesure où cette inexécution est due à un acte ou à une omission de sa part.

Section V. *Effets de la résolution.**Article 81*

1) La résolution du contrat libère les deux parties de leurs obligations, sous réserve des dommages-intérêts qui peuvent être dus. Elle n'a pas d'effet sur les stipulations du contrat relatives au règlement des différends ou aux droits et obligations des parties en cas de résolution.

2) La partie qui a exécuté le contrat totalement ou partiellement peut réclamer restitution à l'autre partie de ce qu'elle a fourni ou payé en exécution du contrat. Si les deux parties sont tenues d'effectuer des restitutions, elles doivent y procéder simultanément.

Article 82

(1) The buyer loses the right to declare the contract avoided or to require the seller to deliver substitute goods if it is impossible for him to make restitution of the goods substantially in the condition in which he received them.

(2) The preceding paragraph does not apply:

- (a) if the impossibility of making restitution of the goods or of making restitution of the goods substantially in the condition in which the buyer received them is not due to his act or omission;
- (b) if the goods or part of the goods have perished or deteriorated as a result of the examination provided for in article 38; or
- (c) if the goods or part of the goods have been sold in the normal course of business or have been consumed or transformed by the buyer in the course of normal use before he discovered or ought to have discovered the lack of conformity.

Article 83

A buyer who has lost the right to declare the contract avoided or to require the seller to deliver substitute goods in accordance with article 82 retains all other remedies under the contract and this Convention.

Article 84

(1) If the seller is bound to refund the price, he must also pay interest on it, from the date on which the price was paid.

(2) The buyer must account to the seller for all benefits which he has derived from the goods or part of them:

- (a) if he must make restitution of the goods or part of them; or
- (b) if it is impossible for him to make restitution of all or part of the goods or to make restitution of all or part of the goods substantially in the condition in which he received them, but he has nevertheless declared the contract avoided or required the seller to deliver substitute goods.

*Section VI. Preservation of the goods**Article 85*

If the buyer is in delay in taking delivery of the goods or, where payment of the price and delivery of the goods are to be made concurrently, if he fails to pay the price, and the seller is either in possession of the goods or otherwise able to control their disposition, the seller must take such steps as are reasonable in the circumstances to preserve them. He is entitled to retain them until he has been reimbursed his reasonable expenses by the buyer.

Article 82

1) L'acheteur perd le droit de déclarer le contrat résolu ou d'exiger du vendeur la livraison de marchandises de remplacement s'il lui est impossible de restituer les marchandises dans un état sensiblement identique à celui dans lequel il les a reçues.

2) Le paragraphe précédent ne s'applique pas :

- a) si l'impossibilité de restituer les marchandises ou de les restituer dans un état sensiblement identique à celui dans lequel l'acheteur les a reçues n'est pas due à un acte ou à une omission de sa part;
- b) si les marchandises ont péri ou sont détériorées, en totalité ou en partie, en conséquence de l'examen prescrit à l'article 38; ou
- c) si l'acheteur, avant le moment où il a constaté ou aurait dû constater le défaut de conformité, a vendu tout ou partie des marchandises dans le cadre d'une opération commerciale normale ou a consommé ou transformé tout ou partie des marchandises conformément à l'usage normal.

Article 83

L'acheteur qui a perdu le droit de déclarer le contrat résolu ou d'exiger du vendeur la livraison de marchandises de remplacement en vertu de l'article 82 conserve le droit de se prévaloir de tous les autres moyens qu'il tient du contrat et de la présente Convention.

Article 84

1) Si le vendeur est tenu de restituer le prix, il doit aussi payer des intérêts sur le montant de ce prix à compter du jour du paiement.

2) L'acheteur doit au vendeur l'équivalent de tout profit qu'il a retiré des marchandises ou d'une partie de celles-ci :

- a) lorsqu'il doit les restituer en tout ou en partie; ou
- b) lorsqu'il est dans l'impossibilité de restituer tout ou partie des marchandises ou de les restituer en tout ou en partie dans un état sensiblement identique à celui dans lequel il les a reçues et que néanmoins il a déclaré le contrat résolu ou a exigé du vendeur la livraison de marchandises de remplacement.

*Section VI. Conservation des marchandises.**Article 85*

Lorsque l'acheteur tarde à prendre livraison des marchandises ou qu'il n'en paie pas le prix, alors que le paiement du prix et la livraison doivent se faire simultanément, le vendeur, s'il a les marchandises en sa possession ou sous son contrôle, doit prendre les mesures raisonnables, eu égard aux circonstances, pour en assurer la conservation. Il est fondé à les retenir jusqu'à ce qu'il ait obtenu de l'acheteur le remboursement de ses dépenses raisonnables.

Article 86

(1) If the buyer has received the goods and intends to exercise any right under the contract or this Convention to reject them, he must take such steps to preserve them as are reasonable in the circumstances. He is entitled to retain them until he has been reimbursed his reasonable expenses by the seller.

(2) If goods dispatched to the buyer have been placed at his disposal at their destination and he exercises the right to reject them, he must take possession of them on behalf of the seller, provided that this can be done without payment of the price and without unreasonable inconvenience or unreasonable expense. This provision does not apply if the seller or a person authorized to take charge of the goods on his behalf is present at the destination. If the buyer takes possession of the goods under this paragraph, his rights and obligations are governed by the preceding paragraph.

Article 87

A party who is bound to take steps to preserve the goods may deposit them in a warehouse of a third person at the expense of the other party provided that the expense incurred is not unreasonable.

Article 88

(1) A party who is bound to preserve the goods in accordance with article 85 or 86 may sell them by any appropriate means if there has been an unreasonable delay by the other party in taking possession of the goods or in taking them back or in paying the price or the cost of preservation, provided that reasonable notice of the intention to sell has been given to the other party.

(2) If the goods are subject to rapid deterioration or their preservation would involve unreasonable expense, a party who is bound to preserve the goods in accordance with article 85 or 86 must take reasonable measures to sell them. To the extent possible he must give notice to the other party of his intention to sell.

(3) A party selling the goods has the right to retain out of the proceeds of sale an amount equal to the reasonable expenses of preserving the goods and of selling them. He must account to the other party for the balance.

PART IV

FINAL PROVISIONS

Article 89

The Secretary-General of the United Nations is hereby designated as the depositary for this Convention.

Article 86

1) Si l'acheteur a reçu les marchandises et entend exercer tout droit de les refuser en vertu du contrat ou de la présente Convention, il doit prendre les mesures raisonnables, eu égard aux circonstances, pour en assurer la conservation. Il est fondé à les retenir jusqu'à ce qu'il ait obtenu du vendeur le remboursement de ses dépenses raisonnables.

2) Si les marchandises expédiées à l'acheteur ont été mises à sa disposition à leur lieu de destination et si l'acheteur exerce le droit de les refuser, il doit en prendre possession pour le compte du vendeur à condition de pouvoir le faire sans paiement du prix et sans inconvénient ou frais déraisonnables. Cette disposition ne s'applique pas si le vendeur est présent au lieu de destination ou s'il y a en ce lieu une personne ayant qualité pour prendre les marchandises en charge pour son compte. Les droits et obligations de l'acheteur qui prend possession des marchandises en vertu du présent paragraphe sont régis par le paragraphe précédent.

Article 87

La partie qui est tenue de prendre des mesures pour assurer la conservation des marchandises peut les déposer dans les magasins d'un tiers aux frais de l'autre partie, à condition que les frais qui en résultent ne soient pas déraisonnables.

Article 88

1) La partie qui doit assurer la conservation des marchandises conformément aux articles 85 ou 86 peut les vendre par tous moyens appropriés si l'autre partie a apporté un retard déraisonnable à prendre possession des marchandises ou à les reprendre ou à payer le prix ou les frais de leur conservation, sous réserve de notifier à cette autre partie, dans des conditions raisonnables, son intention de vendre.

2) Lorsque les marchandises sont sujettes à une détérioration rapide ou lorsque leur conservation entraînerait des frais déraisonnables, la partie qui est tenue d'assurer la conservation des marchandises conformément aux articles 85 ou 86 doit raisonnablement s'employer à les vendre. Dans la mesure du possible, elle doit notifier à l'autre partie son intention de vendre.

3) La partie qui vend les marchandises a le droit de retenir sur le produit de la vente un montant égal aux frais raisonnables de conservation et de vente des marchandises. Elle doit le surplus à l'autre partie.

QUATRIÈME PARTIE

DISPOSITIONS FINALES

Article 89

Le Secrétaire général de l'Organisation des Nations Unies est désigné comme dépositaire de la présente Convention.

Article 90

This Convention does not prevail over any international agreement which has already been or may be entered into and which contains provisions concerning the matters governed by this Convention, provided that the parties have their places of business in States parties to such agreement.

Article 91

(1) This Convention is open for signature at the concluding meeting of the United Nations Conference on Contracts for the International Sale of Goods and will remain open for signature by all States at the Headquarters of the United Nations, New York until 30 September 1981.

(2) This Convention is subject to ratification, acceptance or approval by the signatory States.

(3) This Convention is open for accession by all States which are not signatory States as from the date it is open for signature.

(4) Instruments of ratification, acceptance, approval and accession are to be deposited with the Secretary-General of the United Nations.

Article 92

(1) A Contracting State may declare at the time of signature, ratification, acceptance, approval or accession that it will not be bound by Part II of this Convention or that it will not be bound by Part III of this Convention.

(2) A Contracting State which makes a declaration in accordance with the preceding paragraph in respect of Part II or Part III of this Convention is not to be considered a Contracting State within paragraph (1) of article 1 of this Convention in respect of matters governed by the Part to which the declaration applies.

Article 93

(1) If a Contracting State has two or more territorial units in which, according to its constitution, different systems of law are applicable in relation to the matters dealt with in this Convention, it may, at the time of signature, ratification, acceptance, approval or accession, declare that this Convention is to extend to all its territorial units or only to one or more of them, and may amend its declaration by submitting another declaration at any time.

(2) These declarations are to be notified to the depositary and are to state expressly the territorial units to which the Convention extends.

(3) If, by virtue of a declaration under this article, this Convention extends to one or more but not all of the territorial units of a Contracting State, and if the place of business of a party is located in that State, this place of business, for the purposes of this Convention, is considered not to be in a Contracting State, unless it is in a territorial unit to which the Convention extends.

Article 90

La présente Convention ne prévaut pas sur un accord international déjà conclu ou à conclure qui contient des dispositions concernant les matières régies par la présente Convention, à condition que les parties au contrat aient leur établissement dans les États parties à cet accord.

Article 91

1) La présente Convention sera ouverte à la signature à la séance de clôture de la Conférence des Nations Unies sur les contrats de vente internationale de marchandises et restera ouverte à la signature de tous les États au Siège de l'Organisation des Nations Unies, à New York, jusqu'au 30 septembre 1981.

2) La présente Convention est sujette à ratification, acceptation ou approbation par les États signataires.

3) La présente Convention sera ouverte à l'adhésion de tous les États qui ne sont pas signataires, à partir de la date à laquelle elle sera ouverte à la signature.

4) Les instruments de ratification, d'acceptation, d'approbation ou d'adhésion seront déposés auprès du Secrétaire général de l'Organisation des Nations Unies.

Article 92

1) Tout État contractant pourra, au moment de la signature, de la ratification, de l'acceptation, de l'approbation ou de l'adhésion, déclarer qu'il ne sera pas lié par la deuxième partie de la présente Convention ou qu'il ne sera pas lié par la troisième partie de la présente Convention.

2) Un État contractant qui fait, en vertu du paragraphe précédent, une déclaration à l'égard de la deuxième partie ou de la troisième partie de la présente Convention ne sera pas considéré comme étant un État contractant, au sens du paragraphe 1 de l'article premier de la Convention, pour les matières régies par la partie de la Convention à laquelle cette déclaration s'applique.

Article 93

1) Tout État contractant qui comprend deux ou plusieurs unités territoriales dans lesquelles, selon sa constitution, des systèmes de droit différents s'appliquent dans les matières régies par la présente Convention pourra, au moment de la signature, de la ratification, de l'acceptation, de l'approbation ou de l'adhésion, déclarer que la présente Convention s'appliquera à toutes ses unités territoriales ou seulement à l'une ou plusieurs d'entre elles et pourra à tout moment modifier cette déclaration en faisant une nouvelle déclaration.

2) Ces déclarations seront notifiées au dépositaire et désigneront expressément les unités territoriales auxquelles la Convention s'applique.

3) Si, en vertu d'une déclaration faite conformément au présent article, la présente Convention s'applique à l'une ou plusieurs des unités territoriales d'un État contractant, mais non pas à toutes, et si l'établissement d'une partie au contrat est situé dans cet État, cet établissement sera considéré,

(4) If a Contracting State makes no declaration under paragraph (1) of this article, the Convention is to extend to all territorial units of that State.

Article 94

(1) Two or more Contracting States which have the same or closely related legal rules on matters governed by this Convention may at any time declare that the Convention is not to apply to contracts of sale or to their formation where the parties have their places of business in those States. Such declarations may be made jointly or by reciprocal unilateral declarations.

(2) A Contracting State which has the same or closely related legal rules on matters governed by this Convention as one or more non-Contracting States may at any time declare that the Convention is not to apply to contracts of sale or to their formation where the parties have their places of business in those States.

(3) If a State which is the object of a declaration under the preceding paragraph subsequently becomes a Contracting State, the declaration made will, as from the date on which the Convention enters into force in respect of the new Contracting State, have the effect of a declaration made under paragraph (1), provided that the new Contracting State joins in such declaration or makes a reciprocal unilateral declaration.

Article 95

Any State may declare at the time of the deposit of its instrument of ratification, acceptance, approval or accession that it will not be bound by subparagraph (1)(b) of article 1 of this Convention.

Article 96

A Contracting State whose legislation requires contracts of sale to be concluded in or evidenced by writing may at any time make a declaration in accordance with article 12 that any provision of article 11, article 29, or Part II of this Convention, that allows a contract of sale or its modification or termination by agreement or any offer, acceptance, or other indication of intention to be made in any form other than in writing, does not apply where any party has his place of business in that State.

Article 97

(1) Declarations made under this Convention at the time of signature are subject to confirmation upon ratification, acceptance or approval.

(2) Declarations and confirmations of declarations are to be in writing and be formally notified to the depositary.

aux fins de la présente Convention, comme n'étant pas situé dans un État contractant, à moins qu'il ne soit situé dans une unité territoriale à laquelle la Convention s'applique.

4) Si un État contractant ne fait pas de déclaration en vertu du paragraphe 1 du présent article, la Convention s'appliquera à l'ensemble du territoire de cet État.

Article 94

1) Deux ou plusieurs États contractants qui, dans des matières régies par la présente Convention, appliquent des règles juridiques identiques ou voisines peuvent, à tout moment, déclarer que la Convention ne s'appliquera pas aux contrats de vente ou à leur formation lorsque les parties ont leur établissement dans ces États. De telles déclarations peuvent être faites conjointement ou être unilatérales et réciproques.

2) Un État contractant qui, dans des matières régies par la présente Convention, applique des règles juridiques identiques ou voisines de celles d'un ou de plusieurs États non contractants peut, à tout moment, déclarer que la Convention ne s'appliquera pas aux contrats de vente ou à leur formation lorsque les parties ont leur établissement dans ces États.

3) Lorsqu'un État à l'égard duquel une déclaration a été faite en vertu du paragraphe précédent devient par la suite un État contractant, la déclaration mentionnée aura, à partir de la date à laquelle la présente Convention entrera en vigueur à l'égard de ce nouvel État contractant, les effets d'une déclaration faite en vertu du paragraphe 1, à condition que le nouvel État contractant s'y associe ou fasse une déclaration unilatérale à titre réciproque.

Article 95

Tout État peut déclarer, au moment du dépôt de son instrument de ratification, d'acceptation, d'approbation ou d'adhésion, qu'il ne sera pas lié par l'alinéa b) du paragraphe 1 de l'article premier de la présente Convention.

Article 96

Tout État contractant dont la législation exige que les contrats de vente soient conclus ou constatés par écrit peut à tout moment déclarer, conformément à l'article 12, que toute disposition de l'article 11, de l'article 29 ou de la deuxième partie de la présente Convention autorisant une forme autre que la forme écrite pour la conclusion, la modification ou la résiliation amiable d'un contrat de vente, ou pour toute offre, acceptation ou autre manifestation d'intention, ne s'applique pas dès lors que l'une des parties a son établissement dans cet État.

Article 97

1) Les déclarations faites en vertu de la présente Convention lors de la signature sont sujettes à confirmation lors de la ratification, de l'acceptation ou de l'approbation.

2) Les déclarations, et la confirmation des déclarations, seront faites par écrit et formellement notifiées au dépositaire.

(3) A declaration takes effect simultaneously with the entry into force of this Convention in respect of the State concerned. However, a declaration of which the depositary receives formal notification after such entry into force takes effect on the first day of the month following the expiration of six months after the date of its receipt by the depositary. Reciprocal unilateral declarations under article 94 take effect on the first day of the month following the expiration of six months after the receipt of the latest declaration by the depositary.

(4) Any State which makes a declaration under this Convention may withdraw it at any time by a formal notification in writing addressed to the depositary. Such withdrawal is to take effect on the first day of the month following the expiration of six months after the date of the receipt of the notification by the depositary.

(5) A withdrawal of a declaration made under article 94 renders inoperative, as from the date on which the withdrawal takes effect, any reciprocal declaration made by another State under that article.

Article 98

No reservations are permitted except those expressly authorized in this Convention.

Article 99

(1) This Convention enters into force, subject to the provisions of paragraph (6) of this article, on the first day of the month following the expiration of twelve months after the date of deposit of the tenth instrument of ratification, acceptance, approval or accession, including an instrument which contains a declaration made under article 92.

(2) When a State ratifies, accepts, approves or accedes to this Convention after the deposit of the tenth instrument of ratification, acceptance, approval or accession, this Convention, with the exception of the Part excluded, enters into force in respect of that State, subject to the provisions of paragraph (6) of this article, on the first day of the month following the expiration of twelve months after the date of the deposit of its instrument of ratification, acceptance, approval or accession.

(3) A State which ratifies, accepts, approves or accedes to this Convention and is a party to either or both the Convention relating to a Uniform Law on the Formation of Contracts for the International Sale of Goods done at The Hague on 1 July 1964 (1964 Hague Formation Convention) and the Convention relating to a Uniform Law on the International Sale of Goods done at The Hague on 1 July 1964 (1964 Hague Sales Convention) shall at the same time denounce, as the case may be, either or both the 1964 Hague Sales Convention and the 1964 Hague Formation Convention by notifying the Government of the Netherlands to that effect.

(4) A State party to the 1964 Hague Sales Convention which ratifies, accepts, approves or accedes to the present Convention and declares or has declared under article 92 that it will not be bound by Part II of this Convention shall at the time of ratification, acceptance, approval or accession denounce the 1964 Hague Sales Convention by notifying the Government of the Netherlands to that effect.

3) Les déclarations prendront effet à la date de l'entrée en vigueur de la présente Convention à l'égard de l'État déclarant. Cependant, les déclarations dont le dépositaire aura reçu notification formelle après cette date prendront effet le premier jour du mois suivant l'expiration d'un délai de six mois à compter de la date de leur réception par le dépositaire. Les déclarations unilatérales et réciproques faites en vertu de l'article 94 prendront effet le premier jour du mois suivant l'expiration d'une période de six mois après la date de la réception de la dernière déclaration par le dépositaire.

4) Tout État qui fait une déclaration en vertu de la présente Convention peut à tout moment la retirer par une notification formelle adressée par écrit au dépositaire. Ce retrait prendra effet le premier jour du mois suivant l'expiration d'une période de six mois après la date de réception de la notification par le dépositaire.

5) Le retrait d'une déclaration faite en vertu de l'article 94 rendra caduque, à partir de la date de sa prise d'effet, toute déclaration réciproque faite par un autre État en vertu de ce même article.

Article 98

Aucune réserve n'est autorisée autre que celles qui sont expressément autorisées par la présente Convention.

Article 99

1) La présente Convention entrera en vigueur, sous réserve des dispositions du paragraphe 6 du présent article, le premier jour du mois suivant l'expiration d'une période de douze mois après la date du dépôt du dixième instrument de ratification, d'acceptation, d'approbation ou d'adhésion, y compris tout instrument contenant une déclaration faite en vertu de l'article 92.

2) Lorsqu'un État ratifiera, acceptera ou approuvera la présente Convention ou y adhérera après le dépôt du dixième instrument de ratification, d'acceptation, d'approbation ou d'adhésion, la Convention, à l'exception de la partie exclue, entrera en vigueur à l'égard de cet État, sous réserve des dispositions du paragraphe 6 du présent article, le premier jour du mois suivant l'expiration d'une période de douze mois après la date du dépôt de l'instrument de ratification, d'acceptation, d'approbation ou d'adhésion.

3) Tout État qui ratifiera, acceptera ou approuvera la présente Convention ou y adhérera et qui est partie à la Convention portant loi uniforme sur la formation des contrats de vente internationale des objets mobiliers corporels faite à La Haye le 1^{er} juillet 1964 (Convention de La Haye de 1964 sur la formation) ou à la Convention portant loi uniforme sur la vente internationale des objets mobiliers corporels faite à La Haye le 1^{er} juillet 1964 (Convention de La Haye de 1964 sur la vente), ou à ces deux conventions, dénoncera en même temps, selon le cas, la Convention de La Haye de 1964 sur la vente ou la Convention de La Haye sur la formation, ou ces deux conventions, en adressant une notification à cet effet au Gouvernement néerlandais.

4) Tout État partie à la Convention de La Haye de 1964 sur la vente qui ratifiera, acceptera ou approuvera la présente Convention ou y adhérera et qui déclarera ou aura déclaré en vertu de l'article 92 qu'il n'est pas lié par la deuxième partie de la Convention, dénoncera, au moment de la ratification, de l'acceptation, de l'approbation ou de l'adhésion, la Convention de La Haye de 1964 sur la vente en adressant une notification à cet effet au Gouvernement néerlandais.

(5) A State party to the 1964 Hague Formation Convention which ratifies, accepts, approves or accedes to the present Convention and declares or has declared under article 92 that it will not be bound by Part III of this Convention shall at the time of ratification, acceptance, approval or accession denounce the 1964 Hague Formation Convention by notifying the Government of the Netherlands to that effect.

(6) For the purpose of this article, ratifications, acceptances, approvals and accessions in respect of this Convention by States parties to the 1964 Hague Formation Convention or to the 1964 Hague Sales Convention shall not be effective until such denunciations as may be required on the part of those States in respect of the latter two Conventions have themselves become effective. The depositary of this Convention shall consult with the Government of the Netherlands, as the depositary of the 1964 Conventions, so as to ensure necessary co-ordination in this respect.

Article 100

(1) This Convention applies to the formation of a contract only when the proposal for concluding the contract is made on or after the date when the Convention enters into force in respect of the Contracting States referred to in subparagraph (1)(a) or the Contracting State referred to in subparagraph (1)(b) of article 1.

(2) This Convention applies only to contracts concluded on or after the date when the Convention enters into force in respect of the Contracting States referred to in subparagraph (1)(a) or the Contracting State referred to in subparagraph (1)(b) of article 1.

Article 101

(1) A Contracting State may denounce this Convention, or Part II or Part III of the Convention, by a formal notification in writing addressed to the depositary.

(2) The denunciation takes effect on the first day of the month following the expiration of twelve months after the notification is received by the depositary. Where a longer period for the denunciation to take effect is specified in the notification, the denunciation takes effect upon the expiration of such longer period after the notification is received by the depositary.

DONE at Vienna, this eleventh day of April, one thousand nine hundred and eighty, in a single original, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized by their respective Governments, have signed this Convention.

5) Tout État partie à la Convention de La Haye de 1964 sur la vente qui ratifiera, acceptera ou approuvera la présente Convention ou y adhérera et qui déclarera ou aura déclaré en vertu de l'article 92 qu'il n'est pas lié par la troisième partie de la Convention, dénoncera, au moment de la ratification, de l'acceptation, de l'approbation ou de l'adhésion, la Convention de La Haye de 1964 sur la formation en adressant une notification à cet effet au Gouvernement néerlandais.

6) Aux fins du présent article, les ratifications, acceptations, approbations et adhésions effectuées à l'égard de la présente Convention par des États parties à la Convention de La Haye de 1964 sur la formation ou à la Convention de La Haye de 1964 sur la vente ne prendront effet qu'à la date à laquelle les dénonciations éventuellement requises de la part desdits États à l'égard de ces deux conventions auront elles-mêmes pris effet. Le dépositaire de la présente Convention s'entendra avec le Gouvernement néerlandais, dépositaire des conventions de 1964, pour assurer la coordination nécessaire à cet égard.

Article 100

1) La présente Convention s'applique à la formation des contrats conclus à la suite d'une proposition intervenue après l'entrée en vigueur de la Convention à l'égard des États contractants visés à l'alinéa a) du paragraphe 1 de l'article premier ou de l'État contractant visé à l'alinéa b) du paragraphe 1 de l'article premier.

2) La présente Convention s'applique uniquement aux contrats conclus après son entrée en vigueur à l'égard des États contractants visés à l'alinéa a) du paragraphe 1 de l'article premier ou de l'État contractant visé à l'alinéa b) du paragraphe 1 de l'article premier.

Article 101

1) Tout État contractant pourra dénoncer la présente Convention, ou la deuxième ou la troisième partie de la Convention, par une notification formelle adressée par écrit au dépositaire.

2) La dénonciation prendra effet le premier jour du mois suivant l'expiration d'une période de douze mois après la date de réception de la notification par le dépositaire. Lorsqu'une période plus longue pour la prise d'effet de la dénonciation est spécifiée dans la notification, la dénonciation prendra effet à l'expiration de la période en question après la date de réception de la notification.

FAIT à Vienne, le onze avril mil neuf cent quatre-vingt, en un seul original, dont les textes anglais, arabe, chinois, espagnol, français et russe sont également authentiques.

EN FOI DE QUOI les plénipotentiaires soussignés, dûment autorisés par leurs gouvernements respectifs, ont signé la présente Convention.

CHAPTER 46

An Act to amend the Education Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 213 of the *Education Act*, being chapter 129 of the Revised Statutes of Ontario, 1980, is repealed.

2.—(1) Subsection 214 (2) of the said Act is repealed and the following substituted therefor:

(2) Where, in respect of any year, the council of a municipality is of the opinion that the apportionment made under a regulation made under subsection (1) is incorrect because of, Review

- (a) an error or omission in the determination of the amount of the assessment of one or more municipalities or localities in the school division;
- (b) an error or omission in the application of a factor used to equalize the assessment of one or more municipalities or localities in the school division;
- (c) an error or omission in a calculation; or
- (d) the failure to apply one or more provisions of the regulation,

the council may apply to the divisional board within thirty days after receiving the apportionment from the divisional board for a review to determine the correct proportion of the sums required for public school purposes and for secondary school purposes that each municipality or part thereof or locality shall bear in each year.

(2) Subsection 214 (5) of the said Act is repealed and the following substituted therefor:

(5) Upon receipt of the application referred to in subsection (2), the divisional board shall direct its chief executive Meeting

officer to call a meeting of the treasurer of the county or the regional municipality and the treasurers of the municipalities within the school division.

(3) Subsection 214 (6) of the said Act, as re-enacted by the Statutes of Ontario, 1988, chapter 23, section 8, is repealed and the following substituted therefor:

Review by
treasurers

(6) At the meeting, the treasurers shall review and, where appropriate, revise the proportion of the amounts to be raised by each municipality or part thereof or locality in accordance with the regulation.

Interpretation

(7) For the purposes of subsection (5), in the case of The Muskoka Board of Education, the treasurer of the county or regional municipality shall be the treasurer of The District Municipality of Muskoka.

Decision

(8) The treasurers shall make their decision in writing and shall file a copy of the decision with the chief executive officer of the divisional board.

Idem

(9) Upon receipt of the decision, the chief executive officer shall forthwith send a copy of the decision to the clerk of each municipality by registered mail.

Decision final

(10) The decision of the treasurers is final.

Effect of
decision

(11) The decision of the treasurers is effective only in respect of the year for which the decision is made.

Apportion-
ment where
unorganized
territory
becomes part
of school
division

(12) Where, in any year, territory without municipal organization is included in a school division and property therein is assessed for the first time for the purpose of levying rates and collecting taxes for school purposes, such assessment shall, for the purposes of apportionment of costs for that year under this section, be the assessment on which taxes are levied in that year and an application for a review under subsection (2) may be made within thirty days after receiving the apportionment from the divisional board.

Territory
without
municipal
organization

(13) In territory without municipal organization that is deemed to be a district municipality in a school division, five ratepayers resident in such district municipality have the same powers as the council of a municipality under subsection (2) and may appoint one ratepayer to act as treasurer for the purposes of this section.

(14) Where the ratepayers cannot agree as to who shall be the treasurer, the chief executive officer of the divisional board shall designate a person to act as treasurer.

Idem

(15) An application for a review under this section does not relieve the council of a municipality of its duty to levy and collect the amounts requisitioned by the board as apportioned to the municipality.

Levy notwithstanding review

(16) Where, in respect of any year, a municipality in a school division has, under section 215, levied the amounts that were requisitioned by the divisional board and the amounts are altered as a result of the decision of the treasurers, the provisions of subsections 219 (2) and (3) apply in respect of the alteration.

Adjustment where apportionment altered

(17) Subsections (2) to (16) do not apply to an area municipality in The Regional Municipality of Sudbury, The Regional Municipality of Haldimand-Norfolk or to a local municipality in a county where an assessment update has been carried out under subsection 368b (2) of the *Municipal Act*.

Non-application

R.S.O. 1980, c. 302

3.—(1) Subsection 215 (3) of the said Act is amended by striking out “subsection 213 (1)” in the fourth and fifth lines and inserting in lieu thereof “the regulation made under subsection 214 (1)”.

(2) Clause 215 (4) (b) of the said Act is amended by striking out “subsection 213 (1)” in the fourth line and inserting in lieu thereof “the regulation made under subsection 214 (1)”.

4.—(1) Where an apportionment is made by a divisional board in the year 1988 prior to the date that this Act comes into force and a council of a municipality is of the opinion that the apportionment imposes an undue burden on the ratepayers of the municipality or part thereof, and the council applies to the divisional board for an arbitration to determine the proportion of the sums required for public school purposes and for secondary school purposes, the application shall be dealt with as an application for a review as if sections 1, 2 and 3 of this Act were in force.

Transition

(2) Subsection (1) applies to an application made by five ratepayers resident in a deemed district municipality in territory without municipal organization who have the same powers as a council of a municipality under subsection 214 (13) of the *Education Act* as re-enacted by subsection 2 (3) of this Act.

Idem

R.S.O. 1980, c. 129

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. The short title of this Act is the *Education Amendment Act, 1988*.

CHAPTER 47

**An Act to establish
a French-language School Board for
The Regional Municipality of Ottawa-Carleton**

Assented to June 29th, 1988

CONTENTS

	<i>Section</i>
Interpretation	1
PART I French-language School Board Established	2, 3
PART II Jurisdiction of Full Board and Sectors	4, 5
PART III School Attendance	6-12
PART IV French-language School Support	13-18
PART V Electors for the French-language Board	19-22
PART VI Duties and Powers of French-language Board	23-27
PART VII Board Members—Qualifications, Resignations and Vacancies	28-34
PART VIII Composition of French-language Board	35, 36
PART IX Finance	37-46
PART X Teachers and Supervisory Officers	47-51
PART XI Resolution of Disputes	52-58
PART XII Transfer of Buildings and Assets to French-language Board	59, 60
PART XIII Transfer of Employees to French-language Board	61-75
PART XIV Miscellaneous, Transition and Complementary Amendments	76-84

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

CHAPITRE 47

**Loi portant création d'un
Conseil scolaire de langue française pour
la municipalité régionale d'Ottawa-Carleton**

Sanctionnée le 29 juin 1988

TABLE DES MATIÈRES

	<i>Article</i>
Interprétation	1
PARTIE I Création du Conseil scolaire de langue française	2 et 3
PARTIE II Compétence du conseil plénier et des sections	4 et 5
PARTIE III Fréquentation scolaire	6 à 12
PARTIE IV Soutien scolaire des écoles de langue française	13 à 18
PARTIE V Électeurs du Conseil de langue française	19 à 22
PARTIE VI Fonctions et pouvoirs du Conseil de langue française	23 à 27
PARTIE VII Membres du Conseil—éligibilité, démissions et vacances	28 à 34
PARTIE VIII Composition du Conseil de langue française	35 et 36
PARTIE IX Finances	37 à 46
PARTIE X Enseignants et agents de supervision	47 à 51
PARTIE XI Résolution des conflits	52 à 58
PARTIE XII Transfert de bâtiments et de biens au Conseil de langue française	59 et 60
PARTIE XIII Mutation d'employés au Conseil de langue française	61 à 75
PARTIE XIV Dispositions diverses, dispositions transitoires et modifications corrélatives	76 à 84

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

INTERPRETATION

Definitions

1.—(1) In this Act,"municipalité
de secteur"

"area municipality" means the municipality or corporation of the Township of Cumberland, the City of Gloucester, the Township of Goulbourn, the City of Kanata, the City of Nepean, the Township of Osgoode, the City of Ottawa, the Township of Rideau, the Village of Rockcliffe Park, the City of Vanier or the Township of West Carleton;

"Commis-
sion"
R.S.O. 1980,
c. 129

"Commission" means the Languages of Instruction Commission of Ontario continued under Part XI of the *Education Act*;

"conseil de
langue
anglaise"

"English-language board" means The Ottawa Board of Education, The Carleton Board of Education, The Ottawa Roman Catholic Separate School Board or The Carleton Roman Catholic Separate School Board;

"Conseil de
langue
française"

"French-language Board" means The Ottawa-Carleton French-language School Board;

"module
scolaire de
langue
française"

"French-language instructional unit" means a class, group of classes or school in which French is the language of instruction, but does not include a class, group of classes or school established under clause 8 (1) (y) of the *Education Act* (French-language instruction for English-speaking pupils);

"franco-
phone"

"French-speaking person" means a person who has the right under subsection 23 (1) or (2), without regard to subsection 23 (3), of the *Canadian Charter of Rights and Freedoms* to have his or her children receive their primary and secondary school instruction in the French language in Ontario;

"conseil
plemier"

"full board" means all of the members of the French-language Board;

"ministre"

"Minister" means the Minister of Education;

"section
publique"

"public sector" means those members of the French-language Board who are elected as members of the public sector;

"Région"

"Region" means The Regional Municipality of Ottawa-Carleton;

"section
catholique"

"Roman Catholic sector" means those members of the French-language Board who are elected as members of the Roman Catholic sector;

INTERPRÉTATION

- 1** (1) Les définitions qui suivent s'appliquent à la présente loi. Définitions
- «Commission» La Commission des langues d'enseignement de l'Ontario maintenue aux termes de la partie XI de la *Loi sur l'éducation*. «Commission»
L.R.O. 1980, chap. 129
- «conseil de langue anglaise» Le Conseil de l'éducation d'Ottawa, le Conseil de l'éducation de Carleton, le Conseil des écoles séparées catholiques d'Ottawa ou le Conseil des écoles séparées catholiques de Carleton. «English-language board»
- «Conseil de langue française» Le Conseil scolaire de langue française d'Ottawa-Carleton. «French-language Board»
- «conseil plénier» L'ensemble des membres du Conseil de langue française. «full board»
- «francophone» Personne qui a le droit, en vertu du paragraphe 23 (1) ou (2), sans tenir compte du paragraphe 23 (3), de la *Charte canadienne des droits et libertés*, de faire instruire ses enfants en français, aux niveaux élémentaire et secondaire, en Ontario. «French-speaking person»
- «ministre» Le ministre de l'Éducation. «Minister»
- «module scolaire de langue française» S'entend d'une classe, d'un groupe de classes ou d'une école dans lesquelles le français est la langue d'enseignement, à l'exclusion toutefois d'une classe, d'un groupe de classes ou d'une école créées en vertu de l'alinéa 8 (1) y) de la *Loi sur l'éducation* (enseignement en langue française à l'intention des élèves anglophones). «French-language instructional unit»
- «municipalité de secteur» La municipalité du canton de Cumberland, de la cité de Gloucester, du canton de Goulbourn, de la cité de Kanata, de la cité de Nepean, du canton d'Osgoode, de la cité d'Ottawa, du canton de Rideau, du village de Rockcliffe Park, de la cité de Vanier ou du canton de Carleton ouest. «area municipality»
- «organisation scolaire» S'entend d'un conseil d'écoles séparées dans la Région, d'un conseil d'écoles publiques dans la Région, de la section publique ou de la section catholique. «school system»
- «Région» La municipalité régionale d'Ottawa-Carleton. «Region»
- «section catholique» Les membres du Conseil de langue française qui sont élus à titre de membres de la section catholique. «Roman Catholic sector»

"organisation
scolaire"

"school system" means a separate school board in the Region, a public board in the Region, the public sector or the Roman Catholic sector.

Regulations
under R.S.O.
1980, c. 129

(2) A reference in this Act to the *Education Act* or to a provision of it shall be deemed to include a reference to the regulations made under that Act or provision.

Definitions
under R.S.O.
1980, c. 129

(3) Except where otherwise provided in this Act, words and expressions used in this Act have the same meaning as in section 1 of the *Education Act*.

Application
of
R.S.O. 1980,
c. 129, s. 1

(4) Subsections 1 (2) and (4) of the *Education Act* apply with necessary modifications in respect of the French-language Board.

Application
of
Constitution
Act, 1867

(5) The provisions of this Act shall not be construed in a way that prejudicially affects a right or privilege with respect to denominational schools guaranteed by *The Constitution Act, 1867*.

Idem

(6) If it is finally determined by a court that a provision of this Act prejudicially affects a right or privilege enjoyed by Roman Catholic separate school boards under *The Constitution Act, 1867*, that provision is repealed, it being the intention of the Legislature that the remaining provisions of this Act are separate from and independent of the said provision.

PART I

FRENCH-LANGUAGE SCHOOL BOARD ESTABLISHED

French-
language
school board

2.—(1) There is established on the 1st day of December, 1988 a school board for French-language instruction in the Region under the name "The Ottawa-Carleton French-language School Board".

Idem

(2) The French-language Board is a body corporate.

Jurisdiction
of French-
language
Board
R.S.O. 1980,
c. 129

(3) On and after the 1st day of January, 1989, the French-language Board has all the powers and shall perform all the duties that are conferred or imposed by the *Education Act* on a board in respect of school instruction in French-language instructional units.

- «section publique» Les membres du Conseil de langue française qui sont élus à titre de membres de la section publique.
- (2) Dans la présente loi, un renvoi à la *Loi sur l'éducation* ou à une disposition de celle-ci est réputé inclure un renvoi aux règlements pris en application de cette loi ou de cette disposition.
- (3) Sauf dispositions contraires de la présente loi, les termes et expressions utilisés dans la présente loi s'entendent au sens de l'article 1 de la *Loi sur l'éducation*.
- (4) Les paragraphes 1 (2) et (4) de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, à l'égard du Conseil de langue française.
- (5) Les dispositions de la présente loi ne doivent pas être interprétées de façon à porter préjudice à un droit ou à un privilège en ce qui concerne les écoles confessionnelles qui est garanti par la *Loi constitutionnelle de 1867*.
- (6) Si un tribunal décide finalement qu'une disposition de la présente loi porte préjudice à un droit ou à un privilège en ce qui concerne les écoles confessionnelles qui est garanti par la *Loi constitutionnelle de 1867*, cette disposition est abrogée, l'intention du législateur étant que les autres dispositions de la présente loi soient distinctes et indépendantes de cette disposition.

«public sector»

Règlements pris en application du chap. 129 des L.R.O. de 1980

Définitions du chap. 129 des L.R.O. de 1980

Champ d'application de l'art. 1 du chap. 129 des L.R.O. de 1980

Champ d'application de la *Loi constitutionnelle de 1867*

Idem

PARTIE I

CRÉATION DU CONSEIL SCOLAIRE DE LANGUE FRANÇAISE

- 2** (1) Est créé, le 1^{er} décembre 1988, un conseil scolaire chargé de l'enseignement en langue française dans la Région. Il porte le nom de «Conseil scolaire de langue française d'Ottawa-Carleton».
- (2) Le Conseil de langue française est une personne morale.
- (3) À compter du 1^{er} janvier 1989, le Conseil de langue française possède tous les pouvoirs et accomplit toutes les fonctions que la *Loi sur l'éducation* confie ou impose à un conseil à l'égard de l'enseignement dans les modules scolaires de langue française.

Conseil scolaire de langue française

Idem

Compétence du Conseil de langue française
L.R.O. 1980, chap. 129

Jurisdiction
of English-
language
boards
R.S.O. 1980,
c. 129

(4) On and after the 1st day of January, 1989, the English-language boards have all the powers and shall perform all the duties that are conferred or imposed by the *Education Act* on a board in respect of school instruction in classes, groups of classes or schools other than French-language instructional units.

French-
language
instruction

(5) On and after the 1st day of January, 1989, Parts XI and XI-A of the *Education Act* do not apply to the English-language boards.

Composition
of French-
language
Board

3.—(1) The French-language Board shall have a public sector and a Roman Catholic sector.

Full board

(2) The members of the public sector and the members of the Roman Catholic sector together constitute the full board.

Authority of
public sector

(3) The public sector shall govern for the French-language Board the public elementary and secondary schools and classes of the French-language Board and shall exercise the powers, duties and rights assigned to it by this Act.

Authority of
Roman
Catholic
sector

(4) The Roman Catholic sector shall govern for the French-language Board the Roman Catholic elementary and secondary schools and classes of the French-language Board and shall exercise the powers, duties and rights assigned to it by this Act.

Authority of
full board

(5) The full board shall exercise the powers, duties and rights assigned to it by this Act.

Matters
within
exclusive
jurisdiction
of sectors

(6) Any power, duty or right assigned to the public sector or to the Roman Catholic sector is within the exclusive jurisdiction of the members of the sector to which it is assigned, and a decision of those members with regard to that power, duty or right is a decision of the French-language Board.

Matters
within
exclusive
jurisdiction
of full board

(7) Any power, duty or right assigned to the full board is within the exclusive jurisdiction of the full board and a decision of the full board with regard to that power, duty or right is a decision of the French-language Board.

PART II

JURISDICTION OF FULL BOARD AND SECTORS

Exclusive
jurisdiction
of sectors

4.—(1) The following matters are within the exclusive jurisdiction of the public sector in respect of the schools and classes that it governs and within the exclusive jurisdiction of the Roman Catholic sector in respect of the schools and classes that it governs:

(4) À compter du 1^{er} janvier 1989, les conseils de langue anglaise possèdent tous les pouvoirs et accomplissent toutes les fonctions que la *Loi sur l'éducation* confie ou impose à un conseil à l'égard de l'enseignement dans les classes, les groupes de classes ou les écoles autres que les modules scolaires de langue française.

Compétence des conseils de langue anglaise
L.R.O. 1980, chap. 129

(5) À compter du 1^{er} janvier 1989, les parties XI et XI-A de la *Loi sur l'éducation* ne s'appliquent pas aux conseils de langue anglaise.

Enseignement en français

3 (1) Le Conseil de langue française comprend une section publique et une section catholique.

Composition du Conseil de langue française

(2) Les membres de la section publique et les membres de la section catholique constituent ensemble le conseil plénier.

Conseil plénier

(3) La section publique gère, pour le Conseil de langue française, les écoles et les classes élémentaires et secondaires publiques du Conseil de langue française et exerce les pouvoirs, les fonctions et les droits que lui attribue la présente loi.

Mandat de la section publique

(4) La section catholique gère, pour le Conseil de langue française, les écoles et les classes élémentaires et secondaires catholiques du Conseil de langue française et exerce les pouvoirs, les fonctions et les droits que lui attribue la présente loi.

Mandat de la section catholique

(5) Le conseil plénier exerce les pouvoirs, les fonctions et les droits que lui attribue la présente loi.

Mandat du conseil plénier

(6) Les pouvoirs, les fonctions ou les droits attribués à la section publique ou à la section catholique relèvent de la compétence exclusive des membres de la section à laquelle ils sont attribués, et une décision de ces membres à l'égard de ces pouvoirs, fonctions ou droits est une décision du Conseil de langue française.

Questions relevant de la compétence exclusive des sections

(7) Les pouvoirs, les fonctions ou les droits attribués au conseil plénier relèvent de la compétence exclusive du conseil plénier, et une décision de celui-ci à l'égard de ces pouvoirs, fonctions ou droits est une décision du Conseil de langue française.

Questions relevant de la compétence exclusive du conseil plénier

PARTIE II

COMPÉTENCE DU CONSEIL PLÉNIER ET DES SECTIONS

4 (1) Les questions suivantes relèvent de la compétence exclusive de la section publique relativement aux écoles et aux classes qu'elle gère, et de la compétence exclusive de la sec-

Compétence exclusive des sections

1. Planning, establishing and financing instructional units.
2. Administering and closing instructional units.
3. Planning, establishing, implementing and maintaining programs and courses for pupils enrolled in the instructional units.
4. Providing instructional and learning materials.
5. Schools for trainable retarded children and vocational courses.
6. School attendance and visitors to schools.
7. Admitting pupils and entering into agreements with other boards and with the other sector concerning the admission of pupils.
8. Issuing debentures.
9. Investing and borrowing money.
10. Receiving revenue for school purposes, including but not limited to grants and money from municipal levies.
11. Appointing, assigning and removing teachers and other employees in respect of matters within the sector's jurisdiction.
12. Appointing the secretary for the sector.
13. Prescribing the duties of teachers and other employees.
14. Any matter relating to meetings and records of the sector.
15. Advisory committees and special education advisory committees.
16. Counselling services.

tion catholique relativement aux écoles et aux classes qu'elle gère :

1. La planification, la création et le financement de modules scolaires.
2. L'administration et la fermeture de modules scolaires.
3. La planification, la création, la mise en oeuvre et la poursuite de programmes et de cours à l'intention des élèves inscrits dans les modules scolaires.
4. L'approvisionnement en matériel pédagogique et d'apprentissage.
5. Les écoles pour enfants déficients moyens et les cours de formation professionnelle.
6. La fréquentation scolaire et l'admission de visiteurs dans les écoles.
7. L'admission d'élèves et la conclusion d'ententes avec d'autres conseils et avec l'autre section relativement à l'admission d'élèves.
8. L'émission de débentures.
9. Le placement et l'emprunt de sommes d'argent.
10. L'obtention de revenus aux fins scolaires, y compris, notamment, les subventions et les sommes prélevées par les municipalités.
11. La nomination, l'affectation et la révocation d'enseignants et d'autres employés, à l'égard des questions relevant de la compétence de la section.
12. La nomination du secrétaire de la section.
13. La définition des fonctions des enseignants et des autres employés.
14. Les questions relatives aux réunions et aux dossiers de la section.
15. Les comités consultatifs, et les comités consultatifs pour l'enfance en difficulté.
16. Les services d'orientation.

17. Professional development of employees.
18. Establishing committees for the sector.
19. Determining the terms on which teachers and other employees are to be employed and fixing their salaries.
20. Collective bargaining in respect of teachers and other employees.
21. Providing transportation for pupils.
22. Providing school supplies other than instructional and learning materials.
23. Operating cafeterias for employees and pupils.
24. Providing benefits in respect of employees.
25. Providing administrative support services necessary to carry out a power or duty of the sector.
26. Allowances for members.
27. Providing services of psychologists, psychometrists and language pathologists and other specialized services.
28. Maintenance of a media centre.
29. Any other matter not provided for in this Act.

Matters
requiring
approval by
both sectors

(2) The following matters are within the exclusive jurisdiction of both sectors and require approval by a majority of members of each sector:

1. Appointing and removing the executive director, fixing his or her salary, providing his or her benefits, determining the terms of his or her employment and prescribing his or her duties.

17. Le perfectionnement professionnel des employés.
18. La création de comités pour la section.
19. L'établissement des conditions d'emploi des enseignants et des autres employés, et la fixation de leur salaire.
20. Les négociations collectives à l'égard des enseignants et des autres employés.
21. Le transport des élèves.
22. L'approvisionnement en fournitures scolaires, à l'exclusion du matériel pédagogique et d'apprentissage.
23. L'exploitation de cafétérias à l'usage des employés et des élèves.
24. Les avantages offerts aux employés.
25. La fourniture des services de soutien administratif nécessaires à l'exercice d'un pouvoir ou d'une fonction de la section.
26. Les allocations versées aux membres.
27. La fourniture de services de psychologues, de psychométriciens et d'orthophonistes, et d'autres services spécialisés.
28. Le maintien d'un centre de médias.
29. Toute autre question qui n'est pas prévue par la présente loi.

(2) Les questions suivantes relèvent de la compétence exclusive des deux sections et nécessitent l'approbation de la majorité des membres de chaque section :

Questions
nécessitant
l'approbation
des deux
sections

1. La nomination et la révocation du directeur général, la fixation de son salaire, l'attribution de ses avantages et l'établissement de ses conditions d'emploi ainsi que la définition de ses fonctions.

2. Appointing and removing the auditor for the French-language Board.

Exclusive
jurisdiction
of full board

(3) The following matters are within the exclusive jurisdiction of the full board:

1. Establishing and maintaining the head office for the French-language Board and providing administrative services operated from it.
2. Any matter related to meetings and records of the full board.
3. Establishing committees for the full board.
4. Maintaining buildings and premises and furniture and equipment for the French-language Board.
5. Providing all property and liability insurance for the French-language Board.
6. Appointing the treasurer for the French-language Board.
7. Appointing the secretary for the full board.
8. Appointing and removing employees, other than the executive director, in respect of matters within the full board's jurisdiction.
9. Determining the terms on which employees described in paragraph 8 are to be employed, prescribing their duties, fixing their salaries and providing their benefits.
10. An allowance for the chairman of the full board.
11. Collective bargaining in respect of its employees.
12. Professional development of its employees.

Transfer of
jurisdiction

(4) The public sector and the Roman Catholic sector may by majority resolutions of both sectors transfer the exclusive jurisdiction over part or all of any matter described in paragraphs 19 to 29 of subsection (1) from the sectors to the full board.

2. La nomination et la révocation du vérificateur du Conseil de langue française.

(3) Les questions suivantes relèvent de la compétence exclusive du conseil plénier :

Compétence
exclusive du
conseil
plénier

1. La création et le maintien du siège social du Conseil de langue française et la fourniture des services qui y sont offerts.
2. Les questions relatives aux réunions et aux dossiers du conseil plénier.
3. La création de comités pour le conseil plénier.
4. L'entretien des bâtiments et lieux, de l'ameublement et de l'équipement du Conseil de langue française.
5. La souscription de toutes les assurances responsabilité et de toutes les assurances sur les biens du Conseil de langue française.
6. La nomination du trésorier du Conseil de langue française.
7. La nomination du secrétaire du conseil plénier.
8. La nomination et la révocation des employés, autres que le directeur général, à l'égard des questions relevant de la compétence du conseil plénier.
9. L'établissement des conditions d'emploi des employés visés à la disposition 8, la définition de leurs fonctions, la fixation de leur salaire et l'attribution de leurs avantages.
10. L'allocation versée au président du conseil plénier.
11. Les négociations collectives à l'égard de ses employés.
12. Le perfectionnement professionnel de ses employés.

(4) La section publique et la section catholique peuvent, par voie de résolutions majoritaires des deux sections, transférer des sections au conseil plénier la compétence exclusive à l'égard d'une partie ou de la totalité d'une question décrite aux dispositions 19 à 29 du paragraphe (1).

Transfert de
compétence

- Idem (5) A transfer of jurisdiction under subsection (4) may be made subject to any condition, if both resolutions so provide, but there shall not be a transfer of jurisdiction under subsection (4) unless the resolutions are subject to the same conditions.
- Reversion of jurisdiction (6) Subject to subsection (7), the jurisdiction transferred to the full board is transferred back to the sectors at the end of the term of office of the members who resolved that it be transferred to the full board.
- Idem (7) The public sector or the Roman Catholic sector may by resolution transfer back to the sectors the exclusive jurisdiction over a matter transferred to the full board under subsection (4).
- Idem (8) The transfer of exclusive jurisdiction back to the sectors takes effect at the end of the fiscal year of the French-language Board unless the sectors by majority resolutions of both of them agree that it take effect on an earlier date.
- Notice to Minister (9) The secretary of the full board shall transmit to the Minister notice of a transfer of jurisdiction under subsection (4) or (7) forthwith after the transfer.
- Failure to agree (10) Part XI does not apply to a matter described in subsection (4), (5) or (8).
- Agreements (11) If the subject-matter of an agreement to be made by the French-language Board is within the exclusive jurisdiction of,
- (a) the full board, the agreement shall be made by the full board;
 - (b) the public sector or Roman Catholic sector, the agreement shall be made by the relevant sector.
- Religious instruction (12) Religious instruction is within the exclusive jurisdiction of the public sector in respect of the schools and classes that it governs.
- Religious education (13) Religious education is within the exclusive jurisdiction of the Roman Catholic sector in respect of the schools and classes that it governs.
- Acquisition of property (14) The full board shall exercise exclusive jurisdiction on behalf of the French-language Board in respect of the acquisition of real or personal property that is to be used by the full board.

(5) Le transfert de compétence visé au paragraphe (4) peut être assujéti à une condition si les deux résolutions le prévoient, mais il n'y a pas de transfert de compétence en vertu du paragraphe (4) à moins que les résolutions ne soient assujetties aux mêmes conditions.

Idem

(6) Sous réserve du paragraphe (7), la compétence transférée au conseil plénier est remise aux sections à la fin du mandat des membres qui ont décidé de la transférer au conseil plénier.

Remise de compétence

(7) La section publique ou la section catholique peut, par voie de résolution, remettre aux sections la compétence exclusive à l'égard d'une question transférée au conseil plénier en vertu du paragraphe (4).

Idem

(8) La remise de la compétence exclusive aux sections entre en vigueur à la fin de l'exercice du Conseil de langue française, à moins que les sections ne conviennent, par voie de résolutions majoritaires des deux, qu'il entre en vigueur à une date antérieure.

Idem

(9) Le secrétaire du conseil plénier avise le ministre d'un transfert de compétence effectué en vertu du paragraphe (4) ou (7) immédiatement après le transfert.

Avis au ministre

(10) La partie XI ne s'applique pas aux questions décrites aux paragraphes (4), (5) et (8).

Défaut d'entente

(11) Si l'objet d'une entente que doit conclure le Conseil de langue française relève de la compétence exclusive :

Ententes

- a) du conseil plénier, l'entente est conclue par ce dernier;
- b) de la section publique ou de la section catholique, l'entente est conclue par la section intéressée.

(12) L'enseignement religieux relève de la compétence exclusive de la section publique en ce qui concerne les écoles et les classes qu'elle gère.

Enseignement religieux

(13) L'enseignement religieux relève de la compétence exclusive de la section catholique en ce qui concerne les écoles et les classes qu'elle gère.

Enseignement religieux

(14) Le conseil plénier exerce la compétence exclusive pour le compte du Conseil de langue française à l'égard de l'acquisition de biens immeubles ou de biens meubles devant être utilisés par le conseil plénier.

Acquisition de biens

Idem

(15) The public sector or the Roman Catholic sector shall exercise exclusive jurisdiction on behalf of the French-language Board in respect of the acquisition of real or personal property that is to be used by that sector.

Disposal of
property

(16) The full board shall exercise exclusive jurisdiction on behalf of the French-language Board in respect of the sale, lease or disposal of real or personal property that was acquired by the full board or re-allocated to the full board under Part XII.

Idem

(17) The public sector or the Roman Catholic sector shall exercise exclusive jurisdiction on behalf of the French-language Board in respect of the sale, lease or disposal of real or personal property that was acquired by that sector or was allocated to that sector and not re-allocated to the full board under Part XII.

Interpretation
of provisions
of R.S.O.
1980, c. 129

5.—(1) If this Act provides that a provision of the *Education Act* applies to the French-language Board and that provision is within the jurisdiction of the public sector, the Region shall be deemed to be a public school section and a secondary school district and the French-language instructional units of the public sector shall be deemed to be elementary schools and secondary schools, as the case may be, operated by a divisional board of education.

Idem
R.S.O. 1980,
c. 129

(2) If this Act provides that a provision of the *Education Act* applies to the French-language Board and that provision is within the jurisdiction of the Roman Catholic sector, the Region shall be deemed to be an urban separate school zone and the French-language instructional units of the Roman Catholic sector shall be deemed to be urban separate schools operated by a Roman Catholic school board.

Idem

(3) If this Act provides that a provision of the *Education Act* applies to the French-language Board and that provision is within the jurisdiction of the full board, the Region shall be deemed to be a public school section and a secondary school district and the full board shall be deemed to be a divisional board of education.

PART III

SCHOOL ATTENDANCE

Application
of R.S.O.
1980, c. 129

6. Sections 17 to 27 and 29 to 31 of the *Education Act* apply with necessary modifications to the French-language Board.

(15) La section publique ou la section catholique exerce la compétence exclusive pour le compte du Conseil de langue française à l'égard de l'acquisition de biens immeubles ou de biens meubles devant être utilisés par cette section. Idem

(16) Le conseil plénier exerce la compétence exclusive pour le compte du Conseil de langue française à l'égard de la disposition, notamment par vente ou location, de biens immeubles ou de biens meubles acquis par le conseil plénier ou attribués de nouveau au conseil plénier en vertu de la partie XII. Disposition de biens

(17) La section publique ou la section catholique exerce la compétence exclusive pour le compte du Conseil de langue française à l'égard de la disposition, notamment par vente ou location, de biens immeubles ou de biens meubles qui ont été acquis par cette section ou attribués à cette section et non attribués de nouveau au conseil plénier en vertu de la partie XII. Idem

5 (1) Si la présente loi prévoit qu'une disposition de la *Loi sur l'éducation* s'applique au Conseil de langue française et que cette disposition relève de la compétence de la section publique, la Région est réputée une circonscription scolaire publique et un district d'écoles secondaires, et les modules scolaires de langue française de la section publique sont réputés des écoles élémentaires et des écoles secondaires, selon le cas, qui relèvent d'un conseil de l'éducation de division scolaire. Interprétation des dispositions du chap. 129 des L.R.O. de 1980

(2) Si la présente loi prévoit qu'une disposition de la *Loi sur l'éducation* s'applique au Conseil de langue française et que cette disposition relève de la compétence de la section catholique, la Région est réputée une zone urbaine d'écoles séparées, et les modules scolaires de langue française de la section catholique sont réputés des écoles séparées urbaines qui relèvent d'un conseil d'écoles catholiques. Idem
L.R.O. 1980, chap. 129

(3) Si la présente loi prévoit qu'une disposition de la *Loi sur l'éducation* s'applique au Conseil de langue française et que cette disposition relève de la compétence du conseil plénier, la Région est réputée une circonscription scolaire publique et un district d'écoles secondaires, et le conseil plénier est réputé un conseil de l'éducation de division scolaire. Idem

PARTIE III

FRÉQUENTATION SCOLAIRE

6 Les articles 17 à 27 et 29 à 31 de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au Conseil de langue française. Champ d'application du chap. 129 des L.R.O. de 1980

Resident
pupil qualifi-
cation, public
sector

7.—(1) A person who attains the age of six years in any year is, after the 1st day of September in that year, qualified to be a resident pupil in respect of the public sector until the last school day in June in the year in which the person attains the age of twenty-one years if,

- (a) the person and the person's parent or guardian reside in the Region and the person's parent or guardian is a French-speaking person who is not a public school supporter, a separate school supporter or a supporter of the Roman Catholic sector; or
- (b) the person resides in the Region, is the owner or tenant of land in the Region that is separately assessed and is a supporter of the public sector.

Resident
pupil qualifi-
cation,
Roman
Catholic
sector

(2) A person who attains the age of six years in any year is, after the 1st day of September in that year, qualified to be a resident pupil in respect of the Roman Catholic sector until the last school day in June in the year in which the person attains the age of twenty-one years if,

- (a) the person and the person's parent or guardian reside in the Region and the person's parent or guardian is a supporter of that sector; or
- (b) the person resides in the Region, is the owner or tenant of land in the Region that is separately assessed and is a supporter of the Roman Catholic sector.

Resident
pupil
qualification

(3) A person who is the child of a French-speaking person is qualified to be a resident pupil in respect of a secondary school operated by the public sector or by the Roman Catholic sector if the person is over eighteen years of age and has resided in the Region for the twelve months immediately before his or her admission to a school operated by that sector or to a school operated by a board to which that sector pays fees on the person's behalf.

Idem

(4) The requirement in subsection (1) or (2) that the person be less than twenty-one years of age does not apply for secondary school purposes.

Resident
pupil

(5) A person who is qualified to be a resident pupil of a sector is a resident pupil if the person enrolls in a school operated by that sector or in a school operated by the other sector or a board to which the sector pays fees on the person's behalf.

7 (1) Quiconque atteint six ans au cours d'une année satisfait, après le 1^{er} septembre de cette année, aux conditions requises pour être élève résident en ce qui concerne la section publique, jusqu'au dernier jour de classe du mois de juin de l'année où il atteint vingt et un ans si, selon le cas :

Conditions
requises pour
être élève
résident de la
section
publique

- a) lui-même et son père, sa mère ou son tuteur résident dans la Région et que son père, sa mère ou son tuteur est un francophone qui n'est pas contribuable des écoles publiques, des écoles séparées ni de la section catholique;
- b) il réside dans la Région, est propriétaire ou locataire d'un terrain, situé dans la Région, qui fait l'objet d'une évaluation distincte, et est contribuable de la section publique.

(2) Quiconque atteint six ans au cours d'une année satisfait, après le 1^{er} septembre de cette année, aux conditions requises pour être élève résident en ce qui concerne la section catholique, jusqu'au dernier jour de classe du mois de juin de l'année où il atteint vingt et un ans si, selon le cas :

Conditions
requises pour
être élève
résident de la
section
catholique

- a) lui-même et son père, sa mère ou son tuteur résident dans la Région et que son père, sa mère ou son tuteur est un contribuable de cette section;
- b) il réside dans la Région, est propriétaire ou locataire d'un terrain, situé dans la Région, qui fait l'objet d'une évaluation distincte, et est contribuable de la section catholique.

(3) Une personne dont le père ou la mère est francophone satisfait aux conditions requises pour être élève résident en ce qui concerne une école secondaire qui relève de la section publique ou de la section catholique si elle a plus de dix-huit ans et qu'elle a résidé dans la Région pendant les douze mois précédant son admission à une école qui relève de cette section ou à une école qui relève d'un conseil auquel cette section verse des droits de scolarité au nom de la personne.

Conditions
requises pour
être élève
résident d'une
école
secondaire

(4) La nécessité, prévue au paragraphe (1) ou (2), d'avoir moins de vingt et un ans ne s'applique pas aux fins des écoles secondaires.

Idem

(5) La personne qui satisfait aux conditions requises pour être élève résident d'une section est élève résident si elle s'inscrit dans une école qui relève de cette section ou dans une école qui relève de l'autre section ou d'un conseil auquel la section verse des droits de scolarité au nom de cette personne.

Élève
résident

Evidence as to right to attend

(6) It is the responsibility of the parent or guardian to submit evidence that a child has a right to attend an elementary school operated by a sector, including proof of age, if necessary.

Admission if pupil moves into residence not assessed in accordance with school support

8. If a child who would otherwise have the right to attend a school operated by one school system moves with his or her parent or guardian who is a supporter of that school system into a residence that is assessed to the support of another school system, and the latest date upon which the assessment of the residence may be changed to support of the first named school system has passed, upon the filing of a notice of change of support for the following year with the assessment commissioner, the child shall be admitted without the payment of a fee, to a school operated by that school system.

Kindergarten, exceptional pupils
R.S.O. 1980, c. 129

9.—(1) Sections 33 to 36 of the *Education Act* apply with necessary modifications to the French-language Board.

Accessible schools, right to attend

(2) Section 38 of the *Education Act* applies with necessary modifications to a pupil seeking to be admitted to,

- (a) a French-language instructional unit of a nearer school that is not in the Region, if the pupil is a resident pupil of a sector; and
- (b) a nearer school operated by a sector, if the pupil is a resident pupil in respect of a board that is not in the Region and is the child of a French-speaking person.

Admission of adult resident

(3) Subsection 39 (5) of the *Education Act* applies with necessary modifications to the French-language Board.

Other issues of admission

(4) Sections 40 to 48 of the *Education Act* apply with necessary modifications to the French-language Board.

Right to attend secondary school

(5) Section 1360 of the *Education Act* applies with necessary modifications to the French-language Board to permit a person who is the child of a French-speaking person to transfer,

- (a) from one sector to another;
- (b) from the public sector to The Ottawa Roman Catholic Separate School Board or The Carleton Roman Catholic Separate School Board, if the per-

(6) Il appartient au père, à la mère ou au tuteur de présenter les documents prouvant qu'un enfant a le droit de fréquenter une école élémentaire qui relève d'une section, y compris, le cas échéant, ceux qui attestent son âge.

Preuve du droit de fréquenter une école

8 Si un enfant qui aurait autrement le droit de fréquenter une école relevant d'une organisation scolaire déménage avec son père, sa mère ou son tuteur qui est contribuable de cette organisation scolaire dans une résidence qui fait l'objet d'une cotisation en faveur d'une autre organisation scolaire et que la date ultime à laquelle la cotisation de cette résidence peut être changée en faveur de la première organisation scolaire mentionnée est passée, l'enfant est admis, dès le dépôt auprès du commissaire à l'évaluation d'un avis de changement de statut de contribuable pour l'année suivante, sans l'acquittement de droits de scolarité, à une école qui relève de cette organisation scolaire.

Admission d'un élève qui déménage dans une résidence dont la cotisation ne correspond pas au soutien scolaire

9 (1) Les articles 33 à 36 de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au Conseil de langue française.

Jardin d'enfants, élèves en difficulté
L.R.O. 1980, chap. 129

(2) L'article 38 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, à l'élève qui cherche à être admis :

Droit de fréquenter des écoles

- a) à un module scolaire de langue française d'une école plus proche qui n'est pas située dans la Région, si l'élève est élève résident d'une section;
- b) à une école plus proche relevant d'une section, si l'élève est élève résident à l'égard d'un conseil qui n'est pas situé dans la Région et si son père ou sa mère est francophone.

(3) Le paragraphe 39 (5) de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française.

Admission d'un adulte résident

(4) Les articles 40 à 48 de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au Conseil de langue française.

Autres problèmes d'admission

(5) L'article 1360 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française afin de permettre à la personne dont le père ou la mère est francophone de passer :

Droit de fréquenter une école secondaire

- a) d'une section à l'autre;
- b) de la section publique au Conseil des écoles séparées catholiques d'Ottawa ou au Conseil des écoles séparées catholiques de Carleton, si la personne

son resides within the area of jurisdiction of that separate school board;

- (c) from The Ottawa Roman Catholic Separate School Board or The Carleton Roman Catholic Separate Board to the public sector;
- (d) from the Roman Catholic sector to The Ottawa Board of Education or The Carleton Board of Education, if the person resides within the area of jurisdiction of that board of education;
- (e) from The Ottawa Board of Education or The Carleton Board of Education to the Roman Catholic sector.

Right to
attend school
of sector

10.—(1) A person is entitled to be a pupil in a school operated by the public sector if the person,

- (a) is qualified to be a resident pupil in respect of a school operated by a public board in the Region; and
- (b) is the child of a French-speaking person.

Idem

(2) A person is entitled to be a pupil in a school operated by the Roman Catholic sector if the person,

- (a) is qualified to be a resident pupil in respect of a school operated by a separate school board in the Region; and
- (b) is the child of a French-speaking person.

Right to
attend school
of board

(3) A person is entitled to be a pupil in a school operated by a public board in the Region if the person,

- (a) is qualified to be a resident pupil in respect of a school operated by the public sector; and
- (b) resides in the area of jurisdiction of that public board.

Idem

(4) A person is entitled to be a pupil in a school operated by a separate school board in the Region if the person,

- (a) is qualified to be a resident pupil in respect of a school operated by the Roman Catholic sector; and

réside dans le ressort de ce conseil d'écoles séparées;

- c) du Conseil des écoles séparées catholiques d'Ottawa ou du Conseil des écoles séparées catholiques de Carleton à la section publique;
- d) de la section catholique au Conseil de l'éducation d'Ottawa ou au Conseil de l'éducation de Carleton, si la personne réside dans le ressort de ce conseil de l'éducation;
- e) du Conseil de l'éducation d'Ottawa ou du Conseil de l'éducation de Carleton à la section catholique.

10 (1) Une personne a le droit d'être élève d'une école qui relève de la section publique si :

Droit de fréquenter une école d'une section

- a) d'une part, elle satisfait aux conditions requises pour être élève résident à l'égard d'une école qui relève d'un conseil public dans la Région;
- b) d'autre part, son père ou sa mère est francophone.

(2) Une personne a le droit d'être élève d'une école qui relève de la section catholique si :

Idem

- a) d'une part, elle satisfait aux conditions requises pour être élève résident à l'égard d'une école qui relève d'un conseil d'écoles séparées dans la Région;
- b) d'autre part, son père ou sa mère est francophone.

(3) Une personne a le droit d'être élève d'une école qui relève d'un conseil public dans la Région si :

Droit de fréquenter une école d'un conseil

- a) d'une part, elle satisfait aux conditions requises pour être élève résident à l'égard d'une école qui relève de la section publique;
- b) d'autre part, elle réside dans le ressort de ce conseil public.

(4) Une personne a le droit d'être élève d'une école qui relève d'un conseil d'écoles séparées dans la Région si :

Idem

- a) d'une part, elle satisfait aux conditions requises pour être élève résident à l'égard d'une école qui relève de la section catholique;

- (b) resides in the area of jurisdiction of that separate school board.

Fee

(5) The board or sector in respect of which the child is qualified to be a resident pupil shall pay to the sector or board whose school the child attends a fee equal to the lesser of,

- (a) the fee set by the board or sector; or

R.S.O. 1980,
c. 129

- (b) the fee calculated in accordance with the regulations under the *Education Act* concerning the payment of fees by one board to another.

Admission of
pupils other
than French-
speaking
pupils

11.—(1) If the parent or guardian of a child under the age of eighteen years is not a French-speaking person and the child would qualify to be a resident pupil of a sector if the child's parent or guardian were a French-speaking person, the parent or guardian may request that the child be admitted as a pupil of that sector.

Idem

(2) A person eighteen years of age or older who is not the child of a French-speaking person and who but for that fact would qualify to be a resident pupil of a sector may request to be admitted as a pupil of that sector.

Idem

(3) A sector, on receipt of a request under this section, may admit the person as a pupil if the admission is approved by a majority vote of an admissions committee appointed by the sector and composed of the principal of the school to which admission is sought, a teacher of that school and a supervisory officer employed by the sector.

Fees

(4) If a person is admitted as a pupil of a sector under this section, the board in which the person is qualified to be a resident pupil shall pay to the sector a fee calculated in accordance with the regulations under the *Education Act* concerning the payment of fees by one board to another.

R.S.O. 1980,
c. 129

Agreement
with other
sector

12.—(1) The Roman Catholic sector and the public sector may enter into an agreement to provide instruction of pupils of one sector in a school or schools operated by the other sector.

- b) d'autre part, elle réside dans le ressort de ce conseil d'écoles séparées.

(5) Le conseil ou la section à l'égard duquel ou de laquelle l'enfant satisfait aux conditions requises pour être élève résident paie à la section ou au conseil dont relève l'école que l'enfant fréquente des droits de scolarité équivalant au moins des montants suivants :

Droits de scolarité

- a) les droits de scolarité fixés par le conseil ou la section;
- b) les droits de scolarité calculés conformément aux règlements pris en application de la *Loi sur l'éducation* à l'égard du paiement de droits de scolarité à un conseil par un autre.

L.R.O. 1980, chap. 129

11 (1) Si le père, la mère ou le tuteur d'un enfant âgé de moins de dix-huit ans n'est pas francophone et que cet enfant satisfait aux conditions requises pour être élève résident d'une section si son père, sa mère ou son tuteur était francophone, le père, la mère ou le tuteur peut demander que l'enfant soit admis comme élève de cette section.

Admission d'élèves non francophones

(2) La personne âgée de dix-huit ans ou plus dont ni le père ni la mère n'est francophone, et qui, si ce n'était ce fait, satisfait aux conditions requises pour être élève résident d'une section peut demander à être admise comme élève de cette section.

Idem

(3) La section qui reçoit une demande présentée en vertu du présent article peut admettre la personne comme élève, si l'admission est approuvée par un vote majoritaire d'un comité d'admission établi par la section et composé du directeur de l'école à laquelle l'admission est demandée, d'un enseignant de cette école et d'un agent de supervision employé par la section.

Idem

(4) Si une personne est admise comme élève d'une section en vertu du présent article, le conseil à l'égard duquel la personne satisfait aux conditions requises pour être élève résident paie à la section des droits de scolarité calculés conformément aux règlements pris en application de la *Loi sur l'éducation* à l'égard du paiement de droits de scolarité à un conseil par un autre.

Droits de scolarité

L.R.O. 1980, chap. 129

12 (1) La section catholique et la section publique peuvent conclure une entente en vue de dispenser l'enseignement aux élèves d'une section dans une ou plusieurs écoles qui relèvent de l'autre section.

Entente avec l'autre section

Fees

R.S.O. 1980,
c. 129

(2) The sector requesting instruction shall pay to the sector providing instruction a fee calculated in accordance with the regulations under the *Education Act* concerning the payment of fees by one board to another.

PART IV

FRENCH-LANGUAGE SCHOOL SUPPORT

Exemption of
supporters
from public
school rates

13.—(1) Every person paying rates in the Region on land the person occupies as owner or tenant or on unoccupied land the person owns, who in any year becomes a supporter of the public sector or of the Roman Catholic sector, is exempt from the payment of all rates imposed on such land for public school purposes for the following year and every subsequent year while the person continues to be such a supporter with respect to such land.

Who may be
supporters

(2) A person paying rates in the Region on land the person occupies as owner or tenant or on unoccupied land the person owns may be,

- (a) a supporter of the Roman Catholic sector, if the person is a French-speaking person and a Roman Catholic;
- (b) a supporter of the public sector, if the person is a French-speaking person.

Becoming a
supporter

(3) A person becomes a supporter of the public sector or of the Roman Catholic sector in a year if the person is entitled under subsection (2) to be such a supporter and,

- (a) the person, acting alone or by an agent, before the return of the assessment roll in that year, gives to the assessment commissioner notice in writing that the person desires to be such a supporter;
- (b) in that year the person is shown as being such a supporter on the school support list as prepared or revised by the assessment commissioner under section 15 of the *Assessment Act*; or

R.S.O. 1980,
c. 31

(2) La section qui demande l'enseignement paie à la section qui le dispense des droits de scolarité calculés conformément aux règlements pris en application de la *Loi sur l'éducation* à l'égard du paiement de droits de scolarité à un conseil par un autre.

Droits de
scolarité

L.R.O. 1980,
chap. 129

PARTIE IV

SOUTIEN SCOLAIRE DES ÉCOLES DE LANGUE FRANÇAISE

13 (1) Quiconque verse des cotisations scolaires dans la Région sur un terrain qu'il habite à titre de propriétaire ou de locataire ou sur un terrain non occupé mais qui lui appartient, et devient, au cours de l'année, contribuable de la section publique ou de la section catholique, est exempté du versement des cotisations scolaires perçues sur ce terrain aux fins des écoles publiques pour l'année suivante et les années ultérieures tant qu'il est contribuable de cette section en ce qui concerne ce terrain.

Exemption de
cotisations
scolaires aux
fins des écoles
publiques

(2) Quiconque verse des cotisations scolaires dans la Région sur un terrain qu'il habite à titre de propriétaire ou de locataire ou sur un terrain non occupé mais qui lui appartient peut être :

Qui peut être
contribuable

- a) contribuable de la section catholique s'il est francophone et catholique;
- b) contribuable de la section publique s'il est francophone.

(3) Une personne devient, au cours d'une année donnée, contribuable de la section publique ou de la section catholique si elle en a le droit en vertu du paragraphe (2) et si elle satisfait à l'une des conditions suivantes :

Comment
on devient
contribuable

- a) elle remet au commissaire à l'évaluation par écrit, avant la remise du rôle d'évaluation au cours de cette année, personnellement ou par l'intermédiaire de son représentant, un avis écrit de son désir d'être contribuable de cette section;
- b) cette année-là, elle figure à titre de contribuable de cette section sur la liste de soutien scolaire dressée ou révisée par le commissaire à l'évaluation en vertu de l'article 15 de la *Loi sur l'évaluation foncière*;

L.R.O. 1980,
chap. 31

- (c) in that year the person is declared to be such a supporter as a result of a final decision rendered in proceedings commenced under the *Assessment Act*.

R.S.O. 1980,
c. 31

Penalty for
wilful false
statements in
notice

- (4) Any person who fraudulently gives a notice under this section or wilfully makes any false statement in it does not thereby secure an exemption from the rates and, in addition, is guilty of an offence.

As to rates
imposed
before
French-
language
Board
established

- (5) Nothing in this section exempts any person from paying any rate for public school purposes or separate school purposes imposed before this Act comes into force.

Notice of
withdrawal of
support

- 14.—**(1) A person ceases to be a supporter of the public sector or of the Roman Catholic sector in a year if, on or before the return of the assessment roll in that year, the person gives to the assessment commissioner notice in writing that the person desires to withdraw that support for the following year.

Supporter for
one system
at a time

- (2) A person may be a supporter of only one school system at any given time.

Transitional
enumeration

- 15.—**(1) This section applies in respect of the 1988 enumeration taken in an area municipality under subsection 14 (1) of the *Assessment Act*.

Idem

- (2) A person shall be deemed to have been enumerated as a supporter of the public sector if the person,

- (a) is enumerated as owning land in the Region or occupying land in the Region as a tenant;
- (b) is enumerated as a French-speaking person who chooses to vote to elect members of a French-language section of a board; and
- (c) is not deemed under subsection (3) to have been enumerated as a supporter of the Roman Catholic sector.

Idem

- (3) A person shall be deemed to have been enumerated as a supporter of the Roman Catholic sector if the person,

- (a) is enumerated as a Roman Catholic who chooses to be a separate school supporter; and

- c) cette année-là, elle est déclarée contribuable de cette section par suite d'une décision définitive rendue dans une instance introduite en vertu de la *Loi sur l'évaluation foncière*.

L.R.O. 1980,
chap. 31

(4) Quiconque donne frauduleusement un avis prévu au présent article ou y fait intentionnellement une fausse déclaration n'obtient pas d'exemption de cotisations scolaires. Il est en outre coupable d'une infraction.

Peine en cas
de fausses
déclarations
intentionnelles
dans l'avis

(5) Aucune disposition du présent article n'exempte une personne du versement, aux fins des écoles publiques ou des écoles séparées, des cotisations scolaires si l'imposition est antérieure à l'entrée en vigueur de la présente loi.

Imposition
avant la créa-
tion du Con-
seil de langue
française

14 (1) Une personne cesse d'être contribuable de la section publique ou de la section catholique au cours d'une année si elle remet au commissaire à l'évaluation, au plus tard au moment de la remise du rôle d'évaluation au cours de cette année, un avis écrit de son désir de retirer son soutien pour l'année suivante.

Avis de retrait
de
soutien

(2) Une personne peut être contribuable d'une seule organisation scolaire à la fois.

Contribuable
d'une organi-
sation à la
fois

15 (1) Le présent article s'applique à l'égard du recensement de 1988 effectué dans une municipalité de secteur aux termes du paragraphe 14 (1) de la *Loi sur l'évaluation foncière*.

Disposition
transitoire,
recensement

(2) Une personne est réputée avoir été recensée comme contribuable de la section publique si elle satisfait aux conditions suivantes :

Idem

- a) elle est recensée comme propriétaire d'un terrain dans la Région ou comme locataire et occupant d'un terrain dans la Région;
- b) elle est recensée comme francophone qui choisit de voter pour élire les membres d'une section de langue française d'un conseil;
- c) elle n'est pas réputée, aux termes du paragraphe (3), avoir été recensée comme contribuable de la section catholique.

(3) Une personne est réputée avoir été recensée comme contribuable de la section catholique si elle satisfait aux conditions suivantes :

Idem

- a) elle est recensée comme catholique qui choisit d'être contribuable des écoles séparées;

- (b) is enumerated as a French-speaking person who chooses to vote to elect members of a French-language section of a board.

Application
of certain
sections
R.S.O. 1980,
c. 129

16. Sections 123, 124 and 125 of the *Education Act*, which apply in respect of separate school support, also apply in the Region, with necessary modifications, in respect of support of the public sector and the Roman Catholic sector.

Definitions

17.—(1) In this section,

"organisation
publique"

"public system" means a public board in the Region and includes the public sector;

"organisation"
catholique

"Roman Catholic system" means a separate school board in the Region and includes the Roman Catholic sector.

If multiple
owners or
tenants

(2) The following rules apply in determining the school support of two or more persons who together own land in the Region or occupy land in the Region as tenants:

1. If they all choose to support the same school system, they shall be supporters of that system.
2. If they all choose to support a Roman Catholic system, they shall be supporters of a Roman Catholic system.
3. If at least one of them chooses to support a public system, they shall be supporters of a public system.
4. If they all choose to support the French-language Board they shall be supporters of the French-language Board.
5. If at least one of them chooses to support an English-language board they shall be supporters of the English-language board.

Idem

(3) A person may not choose to support a school system under subsection (2) unless he or she is entitled to support that school system.

Definitions

18.—(1) In this section,

- b) elle est recensée comme francophone qui choisit de voter pour élire les membres d'une section de langue française d'un conseil.

16 Les articles 123, 124 et 125 de la *Loi sur l'éducation*, qui s'appliquent à l'égard du soutien des écoles séparées, s'appliquent également, avec les adaptations nécessaires, dans la Région à l'égard du soutien de la section publique et de la section catholique.

Champ d'application de certains articles
L.R.O. 1980, chap. 129

17 (1) Les définitions qui suivent s'appliquent au présent article.

Définitions

«organisation catholique» S'entend d'un conseil d'écoles séparées dans la Région, y compris la section catholique.

«Roman Catholic system»

«organisation publique» S'entend d'un conseil public dans la Région, y compris la section publique.

«public system»

(2) Les règles suivantes s'appliquent pour déterminer le soutien scolaire de deux ou plusieurs personnes qui, ensemble, sont propriétaires d'un terrain dans la Région ou locataires et occupants d'un terrain dans la Région :

Plusieurs propriétaires ou locataires

1. Si elles choisissent toutes d'être contribuables de la même organisation scolaire, elles sont contribuables de cette organisation.
2. Si elles choisissent toutes d'être contribuables d'une organisation catholique, elles sont contribuables d'une organisation catholique.
3. Si au moins l'une d'elles choisit d'être contribuable d'une organisation publique, elles sont contribuables d'une organisation publique.
4. Si elles choisissent toutes d'être contribuables du Conseil de langue française, elles sont contribuables du Conseil de langue française.
5. Si au moins l'une d'elles choisit d'être contribuable d'un conseil de langue anglaise, elles sont contribuables du conseil de langue anglaise.

(3) Une personne ne peut pas choisir d'être contribuable d'une organisation scolaire en vertu du paragraphe (2) à moins qu'elle n'ait le droit d'être contribuable de cette organisation scolaire.

Idem

18 (1) Les définitions qui suivent s'appliquent au présent article.

Définitions

"évaluation" "assessment", in respect of a corporation, means the assessment of land of which the corporation is either the owner and occupant, or not being the owner is the tenant, occupant or actual possessor, and the business or other assessments of the corporation made under the *Assessment Act*;

R.S.O. 1980,
c. 31

"personnes
admissibles" "eligible persons" means,

- (a) persons who are Roman Catholic, in the case of the separate schools,
- (b) French-speaking persons, in the case of the public sector, and
- (c) French-speaking persons who are Roman Catholic, in the case of the Roman Catholic sector.

School
support, right
of
corporation

(2) A corporation by notice to the assessment commissioner may require the whole or any part of its assessment to be entered, rated and assessed for the purposes of separate schools, the public sector, the Roman Catholic sector or any combination of them.

Copy of
notice to
clerk

(3) The assessment commissioner shall thereupon forward a copy of the notice to the clerk of the area municipality in which the land referred to in the notice is situate.

Duty of
assessment
commissioner

(4) Upon receipt of the notice, the assessment commissioner shall enter the corporation on the assessment roll to be next returned with the school support with respect to its assessment for each school system designated in the notice entered separately.

Idem

(5) The assessment commissioner shall separately enter and assess for public school purposes any assessment not designated in the notice.

Duty of clerk

(6) Upon receipt of the notice from the assessment commissioner, the clerk shall enter the corporation in the collector's roll with the school support with respect to the corporation's assessment for each school system designated in the notice entered separately.

Idem

(7) The clerk shall separately enter and show as assessed for public school purposes any assessment not designated in the notice.

How
proportion
settled

(8) The share or portion of a corporation's assessment rated and assessed to a school system other than a public school board shall not bear a greater proportion to the corporation's whole assessment than the amount of stock or

«évaluation» En ce qui concerne une personne morale, s'entend de l'évaluation des biens-fonds dont la personne morale est le propriétaire et l'occupant ou, si elle n'en est pas le propriétaire, dont elle est le locataire, l'occupant ou le possesseur de fait, et des évaluations commerciales ou autres de la personne morale effectuées en vertu de la *Loi sur l'évaluation foncière*.

«assessment»

L.R.O. 1980,
chap. 31

«personnes admissibles» S'entend des personnes suivantes :

«eligible
persons»

- a) les catholiques, dans le cas des écoles séparées;
- b) les francophones, dans le cas de la section publique;
- c) les francophones catholiques, dans le cas de la section catholique.

(2) Une personne morale peut, au moyen d'un avis envoyé au commissaire à l'évaluation, demander que la totalité ou une partie de son évaluation soit inscrite, imposée et évaluée aux fins des écoles séparées, de la section publique, de la section catholique ou d'une combinaison quelconque de celles-ci.

Droit des per-
sonnes mora-
les en matière
de soutien
scolaire

(3) Le commissaire à l'évaluation envoie alors une copie de l'avis au secrétaire de la municipalité de secteur où se trouvent les biens-fonds visés dans l'avis.

Copie de
l'avis au
secrétaire

(4) Dès qu'il reçoit l'avis, le commissaire à l'évaluation inscrit la personne morale au prochain rôle d'évaluation qui doit être rendu, en indiquant séparément le soutien scolaire relatif à son évaluation à accorder à chaque organisation scolaire désignée dans l'avis.

Obligation du
commissaire à
l'évaluation

(5) Le commissaire à l'évaluation, aux fins des écoles publiques, inscrit et évalue séparément les évaluations qui ne sont pas désignées dans l'avis.

Idem

(6) Dès qu'il reçoit l'avis du commissaire à l'évaluation, le secrétaire inscrit la personne morale au rôle du percepteur, en indiquant séparément le soutien scolaire relatif à l'évaluation de la personne morale à accorder à chaque organisation scolaire désignée dans l'avis.

Obligation du
secrétaire

(7) Le secrétaire inscrit et indique séparément comme étant évaluées aux fins des écoles publiques les évaluations qui ne sont pas désignées dans l'avis.

Idem

(8) La part ou la partie de l'évaluation d'une personne morale imposée et évaluée aux fins d'une organisation scolaire autre qu'un conseil d'écoles publiques ne doit pas représenter une fraction de l'évaluation totale de la personne morale qui est supérieure au rapport qui existe entre le montant des

Rapport

shares held by eligible persons bears to the whole amount of the stock or shares.

Notices:
effect, filing
and search
R.S.O. 1980,
c. 129

(9) Subsections 126 (6), (7) and (8) of the *Education Act* apply with necessary modifications to the French-language Board and the English-language boards.

Secondary
school
purposes

(10) This section applies in the same manner for secondary school purposes as for elementary school purposes.

PART V

ELECTORS FOR THE FRENCH-LANGUAGE BOARD

Electors for
public sector
R.S.O. 1980,
c. 308

19. A French-speaking person who is qualified under the *Municipal Elections Act* to be an elector in an area municipality is an elector for the public sector if the person,

- (a) is a supporter of the public sector;
- (b) is the spouse of a supporter of the public sector;
- (c) not being an owner or tenant as defined in the *Municipal Elections Act* or a person described in clause (b) or 20 (b), causes his or her name to be entered on the preliminary list of electors of the polling subdivision in which he or she resides as an elector for the public sector; or
- (d) not being an owner or tenant as defined in the *Municipal Elections Act* or a person described in clause (b) or 20 (b), is enumerated as an elector for the public sector.

Electors for
Roman
Catholic
sector

20. A French-speaking person who is a Roman Catholic and qualified under the *Municipal Elections Act* to be an elector in an area municipality is an elector for the Roman Catholic sector if the person,

- (a) is a supporter of the Roman Catholic sector;
- (b) is the spouse of a supporter of the Roman Catholic sector;

actions détenues par des personnes admissibles et le montant total des actions.

(9) Les paragraphes 126 (6), (7) et (8) de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au Conseil de langue française et aux conseils de langue anglaise.

Avis : validité, classement et recherche
L.R.O. 1980, chap. 129

(10) Le présent article s'applique de la même façon aux fins des écoles secondaires qu'à celles des écoles élémentaires.

Fins des écoles secondaires

PARTIE V

ÉLECTEURS DU CONSEIL DE LANGUE FRANÇAISE

19 Un francophone qui satisfait aux conditions requises aux termes de la *Loi sur les élections municipales* pour être électeur dans une municipalité de secteur est électeur de la section publique si, selon le cas :

Électeurs de la section publique
L.R.O. 1980, chap. 308

- a) il est contribuable de la section publique;
- b) il est le conjoint d'un contribuable de la section publique;
- c) il n'est ni propriétaire ou locataire au sens de la *Loi sur les élections municipales*, ni une personne décrite à l'alinéa b) ou 20 b) et il fait inscrire son nom sur la liste préliminaire des électeurs de la section de vote dans laquelle il réside comme électeur de la section publique;
- d) il n'est ni propriétaire ou locataire au sens de la *Loi sur les élections municipales*, ni une personne décrite à l'alinéa b) ou 20 b) et il est recensé comme électeur de la section publique.

20 Un francophone qui est catholique et qui satisfait aux conditions requises aux termes de la *Loi sur les élections municipales* pour être électeur dans une municipalité de secteur est électeur de la section catholique si, selon le cas :

Électeurs de la section catholique

- a) il est contribuable de la section catholique;
- b) il est le conjoint d'un contribuable de la section catholique;

R.S.O. 1980,
c. 308

- (c) not being an owner or tenant as defined in the *Municipal Elections Act* or a person described in clause (b) or 19 (b), causes his or her name to be entered on the preliminary list of electors of the polling subdivision in which he or she resides as an elector for the Roman Catholic sector; or
- (d) not being an owner or tenant as defined in the *Municipal Elections Act* or a person described in clause (b) or 19 (b), is enumerated as an elector for the Roman Catholic sector.

Prohibition

R.S.O. 1980,
c. 129

Transitional,
enumeration

R.S.O. 1980,
c. 31

Idem

21. No person is entitled to vote in a regular election in an area municipality both for members of a sector and for members of another sector or a board under the *Education Act*.

22.—(1) This section applies in respect of the 1988 enumeration taken in an area municipality under subsection 14 (1) of the *Assessment Act*.

(2) A person shall be deemed to have been enumerated and shown on the enumeration list as an elector for the public sector if the person,

- (a) is enumerated as entitled to be an elector under section 12 or 13 of the *Municipal Elections Act*;
- (b) is enumerated as a French-speaking person who chooses to vote for French-language trustees; and
- (c) is not deemed under subsection (3) to have been enumerated as an elector for the Roman Catholic sector.

Idem

(3) A person shall be deemed to have been enumerated and shown on the enumeration list as an elector for the Roman Catholic sector if the person,

- (a) is enumerated as entitled to be an elector under section 12 or 13 of the *Municipal Elections Act*;
- (b) is enumerated as a French-speaking person who chooses to vote for French-language trustees; and
- (c) is enumerated as a Roman Catholic who chooses to be a separate school elector.

- c) il n'est ni propriétaire ou locataire au sens de la *Loi sur les élections municipales*, ni une personne décrite à l'alinéa b) ou 19 b) et il fait inscrire son nom sur la liste préliminaire des électeurs de la section de vote dans laquelle il réside comme électeur de la section catholique;
- d) il n'est ni propriétaire ou locataire au sens de la *Loi sur les élections municipales*, ni une personne décrite à l'alinéa b) ou 19 b) et il est recensé comme électeur de la section catholique.

L.R.O. 1980,
chap. 308

21 Dans une élection ordinaire qui se déroule dans une municipalité de secteur, nul n'a le droit de voter à la fois pour les membres d'une section et pour les membres d'une autre section ou d'un conseil aux termes de la *Loi sur l'éducation*.

Interdiction

L.R.O. 1980,
chap. 129

22 (1) Le présent article s'applique à l'égard du recensement de 1988 effectué dans une municipalité de secteur aux termes du paragraphe 14 (1) de la *Loi sur l'évaluation foncière*.

Disposition
transitoire,
recensement
L.R.O. 1980,
chap. 31

(2) Une personne est réputée avoir été recensée et indiquée sur la liste de recensement comme étant électeur de la section publique si elle satisfait aux conditions suivantes :

Idem

- a) elle est recensée comme ayant le droit d'être électeur en vertu de l'article 12 ou 13 de la *Loi sur les élections municipales*;
- b) elle est recensée comme francophone qui choisit de voter pour les conseillers scolaires francophones;
- c) elle n'est pas réputée, aux termes du paragraphe (3), avoir été recensée comme électeur de la section catholique.

(3) Une personne est réputée avoir été recensée et indiquée sur la liste de recensement comme étant électeur de la section catholique si elle satisfait aux conditions suivantes :

Idem

- a) elle est recensée comme ayant le droit d'être électeur en vertu de l'article 12 ou 13 de la *Loi sur les élections municipales*;
- b) elle est recensée comme francophone qui choisit de voter pour les conseillers scolaires francophones;
- c) elle est recensée comme catholique qui choisit d'être électeur des écoles séparées.

PART VI

DUTIES AND POWERS OF FRENCH-LANGUAGE BOARD

Duties and powers under R.S.O. 1980, c. 129

23.—(1) Section 149, except paragraphs 1 and 2, and section 150 of the *Education Act* apply with necessary modifications to the French-language Board.

Application of sections in Part VI of R.S.O. 1980, c. 129

(2) Sections 151 (scholarships), 152 and 153 (vocational courses), 154 to 158 (benefits), 159 to 165a (agreements), 166 (transportation), 167 (allowances), 169 to 172 (property) and 173 (out-of-classroom programs) of the *Education Act* apply with necessary modifications to the French-language Board.

Disposal of buildings

(3) A sector shall not sell, lease or otherwise dispose of a building or part thereof other than to the other sector unless, in addition to any other approval that may be required, the sector has obtained the approval of the Minister.

Appointment of treasurer

24.—(1) There shall be one treasurer for the French-language Board.

Take proper security

(2) The full board shall take proper security from the treasurer.

Powers and duties of treasurer R.S.O. 1980, c. 129

(3) The provisions of the *Education Act* concerning the powers and duties of a treasurer of a board apply with necessary modifications to the treasurer in respect of the full board, the Roman Catholic sector and the public sector as if they all were boards.

Secretary for full board

25.—(1) The full board shall appoint a secretary for the matters within its jurisdiction.

Secretaries for sectors

(2) The Roman Catholic sector shall appoint a secretary for matters within its jurisdiction and the public sector shall appoint a secretary for matters within its jurisdiction.

Powers and duties of secretary

(3) The provisions of the *Education Act* concerning the powers and duties of a secretary of a board apply with necessary modifications to the secretary of the full board and the secretaries of each sector as if the full board and each of the sectors were boards.

Application of certain sections of R.S.O. 1980, c. 129

(4) Sections 183 (access to meetings and records), 184 (board meetings), 186 (arbitrators), 187 to 193 (offences and penalties) and 194 (validity of elections) of the *Education Act* apply with necessary modifications to the French-language Board.

PARTIE VI

FONCTIONS ET POUVOIRS DU CONSEIL DE LANGUE
FRANÇAISE

23 (1) L'article 149, à l'exclusion des dispositions 1 et 2, et l'article 150 de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au Conseil de langue française.

Fonctions et pouvoirs en vertu du chap. 129 des L.R.O. de 1980

(2) Les articles 151 (bourses d'études), 152 et 153 (cours de formation professionnelle), 154 à 158 (avantages), 159 à 165a (ententes), 166 (transport), 167 (allocations), 169 à 172 (biens) et 173 (programmes périscolaires) de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au Conseil de langue française.

Champ d'application de certains articles de la partie VI du chap. 129 des L.R.O. de 1980

(3) Une section ne doit pas disposer, notamment par vente ou location, d'un bâtiment ou d'une partie d'un bâtiment si ce n'est en faveur de l'autre section, à moins que la section ait obtenu, en plus de toute autre approbation requise, l'approbation du ministre.

Disposition des bâtiments

24 (1) Le Conseil de langue française a un seul trésorier.

Nomination d'un trésorier

(2) Le conseil plénier obtient une sûreté suffisante du trésorier.

Obtention d'une sûreté suffisante

(3) Les dispositions de la *Loi sur l'éducation* concernant les pouvoirs et les fonctions du trésorier d'un conseil s'appliquent, avec les adaptations nécessaires, au trésorier relativement au conseil plénier, à la section catholique et à la section publique comme s'ils étaient tous des conseils.

Pouvoirs et fonctions du trésorier
L.R.O. 1980, chap. 129

25 (1) Le conseil plénier nomme un secrétaire pour les questions qui relèvent de sa compétence.

Secrétaire du conseil plénier

(2) La section catholique nomme un secrétaire pour les questions qui relèvent de sa compétence et la section publique nomme un secrétaire pour les questions qui relèvent de la sienne.

Secrétaires des sections

(3) Les dispositions de la *Loi sur l'éducation* concernant les pouvoirs et les fonctions du secrétaire d'un conseil s'appliquent, avec les adaptations nécessaires, au secrétaire du conseil plénier et au secrétaire de chacune des sections comme si le conseil plénier et chacune des sections étaient des conseils.

Pouvoirs et fonctions du secrétaire

(4) Les articles 183 (réunions publiques et accès aux archives), 184 (réunions du conseil), 186 (arbitres), 187 à 193 (infractions et amendes) et 194 (validité des élections) de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au Conseil de langue française.

Champ d'application de certains articles du chap. 129 des L.R.O. de 1980

Declaration
and oath
R.S.O. 1980,
c. 129

(5) Section 185 of the *Education Act* applies with necessary modifications to the public sector and the Roman Catholic sector as if they both were boards.

Roman
Catholic
sector,
secondary
education

26. Subject to this Act, the Roman Catholic sector has all the powers and shall perform all the duties that the *Education Act* confers or imposes on a secondary school board.

English as a
subject of
instruction

27.—(1) English shall be a subject of instruction in grades 5, 6, 7 and 8 in every school or class operated by the French-language Board.

Idem

(2) English may be a subject of instruction in any grade other than grades 5, 6, 7 and 8 in a school or class operated by the French-language Board.

PART VII

BOARD MEMBERS—QUALIFICATIONS, RESIGNATIONS, VACANCIES

Employees
disqualified

28. An employee of the French-language Board is not eligible to be elected a member of the public sector or the Roman Catholic sector or entitled to sit or vote on either of them.

Qualifications
of members
of sectors

29.—(1) A person is qualified to be elected as a member of the Roman Catholic sector or of the public sector if the person is an elector for that sector and resides in the Region.

Idem

(2) A person who is an elector for a sector in respect of an area for which one or more members of the sector are to be elected is qualified to be elected as a member of that sector for any area in the Region if the person is otherwise qualified under this section.

Members
eligible for
re-election

(3) A member of a sector is eligible for re-election if otherwise qualified.

Dis-
qualification
R.S.O. 1980,
c. 129
Qualification
to act as
member

(4) Subsection 196 (3) of the *Education Act* applies with necessary modifications to the French-language Board.

(5) A person is qualified to act as a member of a sector during the term for which he or she was elected so long as the person continues to hold the qualifications required for election as a member of the sector and does not become disqualified.

(5) L'article 185 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, à la section publique et à la section catholique comme si elles étaient toutes les deux des conseils.

Déclaration
et serment
L.R.O. 1980,
chap. 129

26 Sous réserve de la présente loi, la section catholique possède tous les pouvoirs et accomplit toutes les fonctions que la *Loi sur l'éducation* confie ou impose à un conseil d'écoles secondaires.

Section
catholique,
enseignement
secondaire

27 (1) Dans toutes les écoles ou les classes qui relèvent du Conseil de langue française, l'anglais est une matière d'enseignement en 5^e, 6^e, 7^e et 8^e années.

Anglais en
tant que
matière d'en-
seignement

(2) Dans une école ou une classe qui relève du Conseil de langue française, l'anglais peut être une matière d'enseignement dans les années autres que les 5^e, 6^e, 7^e et 8^e années.

Idem

PARTIE VII

MEMBRES DU CONSEIL—ÉLIGIBILITÉ, DÉMISSIONS ET VACANCES

28 Quiconque est employé par le Conseil de langue française ne peut pas être membre de la section publique ou de la section catholique. Il ne peut pas siéger au sein de l'une ou l'autre des sections, ni y voter.

Employés
inéligibles

29 (1) Une personne est éligible comme membre de la section catholique ou de la section publique si elle est électeur de cette section et qu'elle réside dans la Région.

Conditions
d'éligibilité
des membres
des sections

(2) Quiconque est électeur d'une section en ce qui concerne un secteur pour lequel un ou plusieurs membres d'une section doivent être élus est éligible comme membre de cette section dans un secteur quelconque de la Région s'il satisfait aux autres conditions prévues par le présent article.

Idem

(3) Un membre d'une section est rééligible s'il satisfait aux autres conditions d'éligibilité.

Membres réé-
ligibles

(4) Le paragraphe 196 (3) de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française.

Inéligibilité
L.R.O. 1980,
chap. 129

(5) Une personne peut agir à titre de membre d'une section pour la durée de son mandat tant qu'elle satisfait aux conditions d'éligibilité à titre de membre de la section et qu'elle n'est pas frappée d'incapacité.

Conditions
d'éligibilité
pour agir à
titre de
membre

Idem

(6) A person is qualified to act as a member of the full board if the person is qualified to act as a member of the sector to which the person is elected.

Person not to be candidate for more than one seat

(7) Subsection 196 (5) of the *Education Act* applies with necessary modifications to the French-language Board.

Members remaining in office, resignations

30.—(1) If the office of a member of a sector becomes vacant and the remaining members constitute a majority of the members elected to it, the remaining members shall, at the first regular meeting of the sector after the vacancy occurs, appoint to the office a person who is qualified to be elected as a member of the sector.

Idem

(2) If the office of a member of a sector becomes vacant and the remaining members do not constitute a majority of the members elected to the sector, a new election shall be held to fill the vacancy or vacancies.

Notice

(3) The secretary of the sector shall send a notice to the clerk of the relevant area municipality if an election is required under subsection (2).

Term of office

(4) A member of a sector appointed or elected under this section shall hold office for the remainder of the term of office of the membership of the sector.

If election held to fill vacancy

31.—(1) Despite subsection 30 (1), if a vacancy occurs in a sector on or before the 31st day of March of an election year, the sector may, by resolution, require that an election be held to fill the vacancy.

Idem

(2) If a sector requires an election to be held, the secretary of the sector shall forthwith send to the clerk of the appropriate area municipality a certified copy of the resolution.

Idem
R.S.O. 1980,
c. 308

(3) The provisions of the *Municipal Elections Act* that pertain to an election to fill a vacancy apply to an election under this section.

Vacancy near time of regular election
R.S.O. 1980,
c. 129

32. Section 202 of the *Education Act* applies with necessary modifications to the French-language Board.

Seat vacated by conviction

33. Section 206 of the *Education Act* applies with necessary modifications to the French-language Board.

(6) Une personne peut agir à titre de membre du conseil plénier si elle peut agir à titre de membre de la section dans laquelle elle est élue. Idem

(7) Le paragraphe 196 (5) de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française. Interdiction de se porter candidat à plusieurs postes

30 (1) Si le poste d'un membre d'une section devient vacant et que le reste des membres constituent la majorité des membres élus, les membres qui restent nomment à ce poste, lors de la première réunion ordinaire de la section tenue après que le poste est devenu vacant, une personne qui est éligible comme membre de la section. Membres qui demeurent en fonction, démissions

(2) Si le poste d'un membre d'une section devient vacant et que le reste des membres ne constituent pas la majorité des membres élus, une nouvelle élection a lieu pour combler le ou les postes vacants. Idem

(3) Le secrétaire de la section envoie un avis au secrétaire de la municipalité de secteur intéressée si une élection est nécessaire aux termes du paragraphe (2). Avis

(4) Le membre d'une section nommé ou élu en vertu du présent article demeure en fonction jusqu'à l'expiration du mandat des membres de la section. Mandat

31 (1) Malgré le paragraphe 30 (1), si une vacance survient au sein d'une section au plus tard le 31 mars d'une année d'élection, la section peut, par voie de résolution, exiger la tenue d'une élection pour combler le poste vacant. Élection en vue de combler un poste vacant

(2) Si une section exige la tenue d'une élection, le secrétaire de la section envoie sans délai au secrétaire de la municipalité de secteur intéressée une copie certifiée conforme de la résolution. Idem

(3) Les dispositions de la *Loi sur les élections municipales* qui concernent les élections tenues pour combler les postes vacants s'appliquent à une élection tenue en vertu du présent article. Idem
L.R.O. 1980, chap. 308

32 L'article 202 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française. Vacance peu avant ou peu après une élection ordinaire
L.R.O. 1980, chap. 129

33 L'article 206 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française. Vacance d'un poste à la suite d'une condamnation

Elections

34. The election of members of a sector shall be conducted by the same officers and in the same manner as elections of members of the council of a municipality.

PART VIII

COMPOSITION OF FRENCH-LANGUAGE BOARD

Application
of trustee
representation
provisions
R.S.O. 1980,
c. 129

35.—(1) Subject to subsections (2), (3) and (4), Part VII-A of the *Education Act* applies with necessary modifications to the French-language Board as if,

- (a) the French-language Board were a divisional board that is required to establish an English-language section and that is exercising jurisdiction in an area where there is no coterminous Roman Catholic separate school board that is a Roman Catholic school board; and
- (b) a supporter or elector of the public sector were a public school supporter or public school elector, as the case may be, and a supporter or elector of the Roman Catholic sector were a separate school supporter or separate school elector, as the case may be.

Interpretation

(2) For purposes of applying rule 6 of subsection 206a (6), subsections 206a (13), (14), (17) and (21) and section 206d of the *Education Act*, a reference in that rule, those subsections and that section to a board shall be deemed to be a reference to a sector.

Idem

(3) For purposes of applying rule 11 of subsection 206a (8) of the *Education Act*, a reference in that rule to the number three shall be deemed to be a reference to the number eight and for the purposes of applying rule 13 of subsection 206a (8) of the *Education Act*, a reference in that rule to the number one shall be deemed to be a reference to the number eight.

Idem

(4) For purposes of applying the provisions of the regulation made under clauses 10 (10) (a) and (b) of the *Education Act*, a reference in those provisions to the director of education of a board and to the secretary of the board shall be deemed to be a reference to the director of education and the secretary of the public sector in respect of a determination or distribution for the public sector and to the director of education and the secretary of the Roman Catholic sector in respect of a determination or distribution for the Roman Catholic sector.

34 L'élection des membres d'une section est tenue par les mêmes fonctionnaires et de la même façon que les élections des membres du conseil d'une municipalité. Élections

PARTIE VIII

COMPOSITION DU CONSEIL DE LANGUE FRANÇAISE

35 (1) Sous réserve des paragraphes (2), (3) et (4), la partie VII-A de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française comme si :

Application des dispositions relatives à la représentation des conseillers scolaires

L.R.O. 1980, chap. 129

- a) d'une part, le Conseil de langue française était un conseil de division scolaire qui est tenu d'établir une section de langue anglaise et qui exerce sa compétence dans un secteur où il n'y a pas de conseil d'écoles séparées catholiques coïncident qui soit un conseil d'écoles catholiques;
- b) d'autre part, un contribuable ou un électeur de la section publique était un contribuable des écoles publiques ou un électeur des écoles publiques, selon le cas, et un contribuable ou un électeur de la section catholique était un contribuable des écoles séparées ou un électeur des écoles séparées, selon le cas.

(2) Pour l'application de la règle 6 du paragraphe 206a (6), des paragraphes 206a (13), (14), (17) et (21), et de l'article 206d de la *Loi sur l'éducation*, une mention d'un conseil, dans cette règle, ces paragraphes et cet article, est réputée une mention d'un secteur. Interprétation

(3) Pour l'application de la règle 11 du paragraphe 206a (8) de la *Loi sur l'éducation*, une mention du nombre trois, dans cette règle, est réputée une mention du nombre huit, et pour l'application de la règle 13 du paragraphe 206a (8) de la *Loi sur l'éducation*, une mention du nombre un, dans cette règle, est réputée une mention du nombre huit. Idem

(4) Pour l'application des dispositions du règlement pris en application des alinéas 10 (10) a) et b) de la *Loi sur l'éducation*, une mention du directeur de l'éducation d'un conseil et du secrétaire du conseil, dans ces dispositions, est réputée une mention du directeur de l'éducation et du secrétaire de la section publique à l'égard d'une décision ou d'une répartition pour la section publique, et une mention du directeur de l'éducation et du secrétaire de la section catholique à l'égard d'une décision ou d'une répartition pour la section catholique. Idem

36 (1) Dans le présent article, «Comité de planification» s'entend du Comité de planification de l'enseignement en Définition
«Planning
Committee»

Definition
"Comité de
planification"

36.—(1) In this section, "Planning Committee" means the Ottawa-Carleton French-Language Education Planning Committee established by the Minister and constituted by Order in Council 229/88.

Transitional

(2) For the regular election to be held in 1988 and for filling vacancies before the 1st day of December, 1991, if the number of members representing a sector for an area municipality is two or more, the Minister may by order divide the municipality into two or more electoral areas and the electoral areas shall be deemed to be electoral areas established prior to the 2nd day of February, 1988, by the council of the municipality at the request of the sector.

Idem

(3) The Minister, on the recommendation of the Planning Committee, may, by order, increase or decrease the number of members determined to be elected for a sector under rules 1 to 10 of subsection 206a (8) of the *Education Act* by one or two members for the purposes of the regular election to be held in 1988 under the *Municipal Elections Act*.

R.S.O. 1980,
c. 129

R.S.O. 1980,
c. 308

Idem

(4) For purposes of the regular election to be held in 1988 under the *Municipal Elections Act*, the Minister may, by order, exercise the same power as a sector could have exercised under subsections 206a (13) and (14) of the *Education Act* if the sector had been in existence on the day this Act comes into force, and an order of the Minister under this section shall be deemed to be a resolution of the sector to which it applies passed under subsection 206a (13) or (14) of the *Education Act*, as the case may be.

Idem

(5) For the regular election to be held in 1988, if a calculation or a distribution or both are not made or an application is made under section 206c of the *Education Act* and the judge does not deal with it within the time required by subsection 206c (3) of the *Education Act*, the Minister shall make the calculation or distribution or both, as the case may be.

Idem

(6) Despite subsection 35 (4), for purposes of the regular election to be held in 1988 and the application of the provisions of the regulation made under clauses 10 (10) (a) and (b) of the *Education Act*, a reference in those provisions to the director of education of a board and to the secretary of the board shall be deemed to be a reference to the chairmen of the French-language education councils of The Ottawa Board of Education and The Carleton Board of Education in respect of a determination or distribution for the public sector and to the chairmen of the French-language education councils of The Ottawa Roman Catholic Separate School Board and The Carleton Roman Catholic Separate School Board in respect of a determination or distribution for the Roman Catholic sector.

langue française d'Ottawa-Carleton créé par le ministre et constitué par le décret 229/88.

(2) Aux fins de l'élection ordinaire qui doit se tenir en 1988 et pour combler des postes vacants avant le 1^{er} décembre 1991, si le nombre de membres représentant une section pour une municipalité de secteur est de deux ou plus, le ministre peut, par voie d'arrêté, diviser la municipalité en deux secteurs électoraux ou plus. Les secteurs électoraux sont réputés des secteurs électoraux établis avant le 2 février 1988 par le conseil de la municipalité à la demande de la section.

Disposition
transitoire

(3) À la recommandation du Comité de planification, le ministre peut, par voie d'arrêté, augmenter ou diminuer d'un ou de deux le nombre de membres devant être élus pour une section aux termes des règles 1 à 10 du paragraphe 206a (8) de la *Loi sur l'éducation* aux fins de l'élection ordinaire qui doit se tenir en 1988 aux termes de la *Loi sur les élections municipales*.

Idem

L.R.O. 1980,
chap. 129
L.R.O. 1980,
chap. 308

(4) Aux fins de l'élection ordinaire qui doit se tenir en 1988 aux termes de la *Loi sur les élections municipales*, le ministre peut, par voie d'arrêté, exercer le même pouvoir qu'aurait pu exercer une section en vertu des paragraphes 206a (13) et (14) de la *Loi sur l'éducation* si cette section avait existé le jour de l'entrée en vigueur de la présente loi. Un arrêté que prend le ministre en vertu du présent article est réputé une résolution de la section à laquelle il s'applique, adoptée aux termes du paragraphe 206a (13) ou (14) de la *Loi sur l'éducation*, selon le cas.

Idem

(5) Aux fins de l'élection ordinaire qui doit se tenir en 1988, si un calcul ou une répartition, ou les deux, ne sont pas faits, ou qu'une requête est présentée, en vertu de l'article 206c de la *Loi sur l'éducation*, à un juge qui ne donne pas suite à celle-ci dans le délai imparti au paragraphe 206c (3) de la *Loi sur l'éducation*, le ministre fait le calcul ou la répartition, ou les deux, selon le cas.

Idem

(6) Malgré le paragraphe 35 (4), aux fins de l'élection ordinaire qui doit se tenir en 1988 et pour l'application des dispositions du règlement pris en application des alinéas 10 (10) a) et b) de la *Loi sur l'éducation*, une mention du directeur de l'éducation d'un conseil et du secrétaire du conseil, dans ces dispositions, est réputée une mention des présidents des conseils de l'enseignement en langue française du Conseil de l'éducation d'Ottawa et du Conseil de l'éducation de Carleton à l'égard d'une décision ou d'une répartition pour la section publique, et une mention des présidents des conseils de l'enseignement en langue française du Conseil des écoles séparées catholiques d'Ottawa et du Conseil des écoles séparées catholiques de Carleton à l'égard d'une décision ou d'une répartition pour la section catholique.

Idem

Transition
1988, c. 27

(7) Subsection 41 (1) of the *Education Statute Law Amendment Act, 1988* applies with necessary modifications in respect of the French-language Board.

PART IX

FINANCE

Appointment
and dismissal
of auditor

37.—(1) There shall be one auditor for the French-language Board and the auditor shall hold office during good behaviour and be removable for cause.

Qualifications
R.S.O. 1980,
c. 303

(2) The auditor shall be a person licensed as a municipal auditor under the *Municipal Affairs Act*.

Powers and
duties of
auditor
R.S.O. 1980,
c. 129

(3) Subsections 207 (2) to (6) of the *Education Act* apply with necessary modifications to the auditor.

Filing of
financial
statements

(4) The treasurer in every year shall prepare the financial statements of the public sector and the Roman Catholic sector and, upon receiving the auditor's report on them, shall forthwith submit two copies of the financial statements together with a copy of the auditor's report to the Ministry.

Idem

(5) A financial statement for a sector shall include for each classification of expenditure the expenses of the full board allocated to the sector.

Publication
of financial
statements

(6) The treasurer of the French-language Board in every year shall, within one month after receiving the auditor's report on the financial statements of the sectors for the preceding year, cause to be published or to be mailed or delivered to each ratepayer a copy of the financial statements for that ratepayer's sector for the preceding year in such form as the Minister may require, together with a copy of the report of the auditor.

Idem

(7) If in any year a tax notice is mailed to each ratepayer before the 30th day of June, the treasurer may, in lieu of publishing, mailing or delivering a copy of the report under subsection (6), cause to be included in such notice the copy and the report.

Debentures

38.—(1) Section 208 of the *Education Act* applies with necessary modifications to the public sector as if it were a divisional board.

(7) Le paragraphe 41 (1) de la *Loi de 1988 modifiant des lois concernant l'éducation* s'applique, avec les adaptations nécessaires, à l'égard du Conseil de langue française.

Disposition
transitoire
1988, chap. 27

PARTIE IX

FINANCES

37 (1) Le Conseil de langue française a un vérificateur qui occupe sa charge à titre inamovible, mais qui peut faire l'objet d'une destitution motivée.

Nomination et
destitution du
vérificateur

(2) Le vérificateur est une personne qui détient un permis pour exercer la charge de vérificateur municipal en vertu de la *Loi sur les affaires municipales*.

Qualités
requises

L.R.O. 1980,
chap. 303

(3) Les paragraphes 207 (2) à (6) de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au vérificateur.

Pouvoirs et
fonctions du
vérificateur
L.R.O. 1980,
chap. 129

(4) Chaque année, le trésorier prépare les états financiers de la section publique et de la section catholique. À la réception du rapport du vérificateur à ce sujet, il remet sans délai au ministère deux copies des états financiers ainsi qu'une copie du rapport du vérificateur.

Dépôt des
états finan-
ciers

(5) Les états financiers d'une section comprennent, pour chaque catégorie de dépenses, les frais du conseil plénier affectés à la section.

Idem

(6) Chaque année, dans un délai d'un mois à compter de la réception du rapport du vérificateur sur les états financiers des sections pour l'année précédente, le trésorier du Conseil de langue française fait publier, envoyer par la poste ou remettre à chaque contribuable une copie des états financiers de sa section pour l'année précédente selon la forme que peut exiger le ministre, ainsi qu'une copie du rapport du vérificateur.

Publication
des états
financiers

(7) Si, au cours d'une année, un avis d'impôt est envoyé à chaque contribuable avant le 30 juin, le trésorier peut, au lieu de publier, d'envoyer par la poste ou de remettre une copie du rapport comme le prévoit le paragraphe (6), faire annexer à cet avis la copie et le rapport.

Idem

38 (1) L'article 208 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, à la section publique comme s'il s'agissait d'un conseil de division scolaire.

Déventures

(2) L'article 134 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, à la section catholique.

Droit
d'emprunt

Borrowing
powers

(2) Section 134 of the *Education Act* applies with necessary modifications to the Roman Catholic sector.

Estimates,
full board

39.—(1) The full board in each year shall prepare and adopt estimates of all sums required in its area of jurisdiction during the year for elementary school purposes and for secondary school purposes respectively, and such estimates,

(a) shall set forth its estimated expenditures including debt charges payable on its behalf; and

(b) may provide for expenditures for permanent improvements of premises occupied by it.

Full board's
estimates
allocated to
sectors

(2) The full board shall allocate its estimates to the public sector and to the Roman Catholic sector in the ratio that the average daily enrolment of pupils in the schools of the relevant sector is to the average daily enrolment of pupils in all of the schools of the French-language Board.

Idem

(3) Despite subsection (2), the full board shall allocate its estimates in respect of maintaining a sector's buildings and premises and furniture and equipment to that sector.

Idem

(4) The full board shall allocate its estimates to the sectors separately for elementary and secondary school purposes.

Full board's
estimates
forwarded to
sectors

(5) The full board shall submit its estimates, together with the relevant allocations under subsections (2) and (3), to the sectors on or before the 15th day of February in each year.

Estimates,
sectors
R.S.O. 1980,
c. 129

(6) Subsection 209 (1) of the *Education Act* applies with necessary modifications to the public sector in its area of jurisdiction as if it were a divisional board.

Estimates,
Roman
Catholic
sector

(7) Sections 127 and 136k of the *Education Act* apply with necessary modifications to the Roman Catholic sector.

Levying of
rates

(8) Sections 128 and 130 to 133 of the *Education Act* apply with necessary modifications to the public sector and the Roman Catholic sector for elementary and secondary school purposes as if they were both separate school boards.

39 (1) Chaque année, le conseil plénier prépare et adopte les prévisions des sommes nécessaires dans son domaine de compétence au cours de l'année pour les besoins des écoles élémentaires et des écoles secondaires respectivement. Ces prévisions :

Prévisions,
conseil
plénier

- a) précisent les dépenses prévues pour le conseil plénier, y compris le service de la dette pour son compte;
- b) peuvent couvrir les dépenses en vue des améliorations permanentes des lieux que le conseil plénier occupe.

(2) Le conseil plénier affecte ses prévisions à la section publique et à la section catholique dans le rapport qui existe entre l'effectif quotidien moyen dans les écoles de la section intéressée et l'effectif quotidien moyen dans toutes les écoles du Conseil de langue française.

Prévisions du
conseil plénier
affectées aux
sections

(3) Malgré le paragraphe (2), le conseil plénier affecte ses prévisions à l'égard de l'entretien des bâtiments et lieux, de l'ameublement et de l'équipement d'une section à cette section.

Idem

(4) Le conseil plénier affecte ses prévisions aux sections séparément aux fins des écoles élémentaires et secondaires.

Idem

(5) Au plus tard le 15 février de chaque année, le conseil plénier présente aux sections ses prévisions, ainsi que les affectations appropriées visées aux paragraphes (2) et (3).

Prévisions du
conseil plénier
présentées aux
sections

(6) Le paragraphe 209 (1) de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, à la section publique dans son domaine de compétence comme s'il s'agissait d'un conseil de division scolaire.

Prévisions,
sections
L.R.O. 1980,
chap. 129

(7) Les articles 127 et 136k de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, à la section catholique.

Prévisions,
section
catholique

(8) Les articles 128 et 130 à 133 de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, à la section publique et à la section catholique aux fins des écoles élémentaires et secondaires, comme si les deux sections étaient des conseils d'écoles séparées.

Prélèvements
des impôts

(9) Pour l'application de l'article 130 de la *Loi sur l'éducation*, les sections utilisent les facteurs fixés par le ministre en 1989.

Idem

- Idem (9) For the purposes of section 130 of the *Education Act* the sectors shall use the factors determined by the Minister in 1989.
- Idem (10) A determination of the Minister under subsection (9) is not a regulation within the meaning of the *Regulations Act*.
- R.S.O. 1980, c. 446
- Estimates of full board included (11) The estimates of a sector shall include the proportion of the estimates of the full board as allocated to it.
- Statement of amounts to be raised (12) The treasurer on behalf of the public sector shall submit to the council of each area municipality on or before the 1st day of March in each year,
- (a) a statement indicating the amount of its estimates for elementary school purposes and for secondary school purposes to be raised by each council; and
 - (b) a requisition of the amount of the estimates for elementary school purposes and for secondary school purposes required to be raised by the council.
- Provisions concerning estimates (13) Subsections 209 (2) to (9) of the *Education Act* apply with necessary modifications to the public sector as if it were a divisional board.
- R.S.O. 1980, c. 129
- Money not spent because of strike **40.**—(1) Sections 210 and 212 of the *Education Act* apply with necessary modifications to the public sector and the Roman Catholic sector.
- Idem (2) A reserve of a sector under subsection 210 (2) of the *Education Act* shall include the proportion of any amount allocated to it in relation to the unpaid salaries and wages of employees of the full board.
- Rates, payments to boards **41.**—(1) Section 215 of the *Education Act* applies with necessary modifications to the French-language Board as if the public sector and the Roman Catholic sector were divisional boards and the Region were a school division.
- First payment (2) The amounts to be used for the calculation under paragraph 1 of subsection 215 (2) of the *Education Act* on the 31st day of March, 1989 shall be determined by the Minister.
- Application (3) A determination of the Minister under subsection (2) is not a regulation within the meaning of the *Regulations Act*.
- Tax notices, accounting for money **42.**—(1) Section 216 of the *Education Act* applies with necessary modifications in respect of the French-language Board.

(10) La décision du ministre visée au paragraphe (9) n'est pas un règlement au sens de la *Loi sur les règlements*. Idem
L.R.O. 1980, chap. 446

(11) Les prévisions d'une section indiquent la proportion des prévisions du conseil plénier qui lui ont été affectées. Indication des prévisions du conseil plénier

(12) Au plus tard le 1^{er} mars de chaque année, le trésorier, au nom de la section publique, présente au conseil de chaque municipalité de secteur : État des montants devant être recueillis

- a) un état indiquant le montant de ses prévisions aux fins des écoles élémentaires et aux fins des écoles secondaires que chaque conseil doit recueillir;
- b) une demande du montant des prévisions aux fins des écoles élémentaires et aux fins des écoles secondaires que le conseil doit recueillir.

(13) Les paragraphes 209 (2) à (9) de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, à la section publique comme s'il s'agissait d'un conseil de division scolaire. Dispositions relatives aux prévisions
L.R.O. 1980, chap. 129

40 (1) Les articles 210 et 212 de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, à la section publique et à la section catholique. Fonds non affectés en raison de grève

(2) La réserve d'une section visée au paragraphe 210 (2) de la *Loi sur l'éducation* comprend la proportion des sommes qui lui sont affectées relativement aux salaires et à la rémunération impayés des employés du conseil plénier. Idem

41 (1) L'article 215 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française comme si la section publique et la section catholique étaient des conseils de division scolaire et que la Région était une division scolaire. Versement des impôts aux conseils

(2) Le ministre décide des montants à utiliser pour le calcul effectué en vertu de la disposition 1 du paragraphe 215 (2) de la *Loi sur l'éducation* le 31 mars 1989. Premier versement

(3) La décision du ministre visée au paragraphe (2) ne constitue pas un règlement au sens de la *Loi sur les règlements*. Champ d'application

42 (1) L'article 216 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, à l'égard du Conseil de langue française. Avis d'impôt, reddition de comptes

Current borrowing, when fees payable, reduction of requisition

(2) Sections 217, 218 and 219 of the *Education Act* apply with necessary modifications to the public sector and the Roman Catholic sector as if both of them were boards.

Payment of expenses of full board

(3) A sector shall make funds available to provide for payment of the proportion of the expenses of the full board allocated to it.

Borrowing by one sector from another

(4) If money is borrowed from public sector funds for Roman Catholic sector purposes or from Roman Catholic sector funds for public sector purposes, the borrowing sector shall pay interest to the fund from which the money is borrowed at a rate not less than that being earned by the fund at the date of borrowing.

Data furnished, determination of rates
R.S.O. 1980, c. 129

43.—(1) Sections 220 and 221 and subsections 222 (1) and (2) of the *Education Act* apply with necessary modifications in respect of the public sector and the Roman Catholic sector as if both of them were boards.

Idem

(2) Each sector shall determine the rates to be levied for its purposes.

Assessments for school purposes

(3) The clerk of each area municipality shall prepare the following particulars:

1. The commercial assessment for the purposes of the public sector.
2. The residential and farm assessment for the purposes of the public sector.
3. The commercial assessment for the purposes of the Roman Catholic sector.
4. The residential and farm assessment for the purposes of the Roman Catholic sector.

Levying of school rates

44. The council of every area municipality shall levy or cause to be levied on the whole of the assessment for real property and business assessment for the purposes of the public sector and the Roman Catholic sector, according to the last revised assessment roll, the rates determined for each sector.

Share of licence fees for trailers
R.S.O. 1980, c. 129

45. Section 227 of the *Education Act*, which applies in respect of separate school support, also applies in the Region with necessary modifications in respect of support of the public sector and the Roman Catholic sector.

(2) Les articles 217, 218 et 219 de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, à la section publique et à la section catholique comme si elles étaient toutes les deux des conseils.

Emprunt courant, droits payables, réduction des demandes

(3) La section prévoit des fonds pour le paiement de la partie des dépenses du conseil plénier qui lui sont affectées.

Paiement des dépenses du conseil plénier

(4) S'il y a emprunt de sommes provenant d'un fonds de la section publique aux fins de la section catholique ou de sommes provenant d'un fonds de la section catholique aux fins de la section publique, la section qui emprunte paie des intérêts au fonds d'où proviennent les sommes empruntées à un taux qui n'est pas inférieur à celui dont bénéficie le fonds à la date de l'emprunt.

Emprunt à une section par l'autre

43 (1) Les articles 220 et 221 et les paragraphes 222 (1) et (2) de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, à l'égard de la section publique et de la section catholique comme si elles étaient toutes les deux des conseils.

Renseignements fournis, calcul des impôts
L.R.O. 1980, chap. 129

(2) Chaque section fixe les impôts qui sont prélevés à ses fins.

Idem

(3) Le secrétaire de chaque municipalité de secteur prépare ce qui suit :

Évaluations aux fins scolaires

1. L'évaluation des industries et des commerces aux fins de la section publique.
2. L'évaluation résidentielle et agricole aux fins de la section publique.
3. L'évaluation des industries et des commerces aux fins de la section catholique.
4. L'évaluation résidentielle et agricole aux fins de la section catholique.

44 Le conseil de chaque municipalité de secteur prélève ou fait prélever sur la totalité de l'évaluation foncière et de l'évaluation commerciale aux fins de la section publique et de la section catholique, d'après le dernier rôle d'évaluation révisé, les impôts établis pour chaque section.

Prélèvement des impôts

45 L'article 227 de la *Loi sur l'éducation*, qui s'applique à l'égard du soutien des écoles séparées, s'applique également, avec les adaptations nécessaires, à l'égard du soutien de la section publique et de la section catholique.

Partie des droits sur les roulottes
L.R.O. 1980, chap. 129

Share of
legislative
grants
R.S.O. 1980,
c. 129

46.—(1) On and after the 1st day of January, 1989, the public sector and the Roman Catholic sector shall each share in the legislative grants under the *Education Act* in the same way as a public board.

Share of
municipal
grants

(2) On and after the 1st day of January, 1989, subsection 135 (2) of the *Education Act* applies with necessary modifications in respect of the schools governed by the public sector and the schools governed by the Roman Catholic sector in the same way that it applies to separate schools.

Special
temporary
grants

(3) The Lieutenant Governor in Council may provide for the payment to the public sector, to the Roman Catholic sector or to both of such special temporary grants as the Lieutenant Governor in Council considers appropriate.

Idem

(4) A grant under subsection (3) shall be paid out of money appropriated by the Legislature for educational purposes.

PART X

TEACHERS AND SUPERVISORY OFFICERS

Teachers

47. Part IX of the *Education Act* applies with necessary modifications to the French-language Board.

Qualifications
of
supervisory
officers

48. Section 249 of the *Education Act* applies with necessary modifications to the French-language Board.

Director of
education for
public sector

49.—(1) The public sector shall appoint a person who holds the qualifications required under the *Education Act* for a supervisory officer to be its director of education.

Director of
education for
Roman
Catholic
sector

(2) The Roman Catholic sector shall appoint a person who holds the qualifications required under the *Education Act* for a supervisory officer to be its director of education.

Duties of
directors of
education

(3) The director of education for a sector shall be responsible to that sector for the development, implementation, operation and supervision of education programs in the French-language instructional units operated by that sector.

Chief
executive
officer of
sectors

(4) Section 253 of the *Education Act* applies with necessary modifications to the directors of education of the sectors.

46 (1) À compter du 1^{er} janvier 1989, la section publique et la section catholique reçoivent chacune une part des subventions générales accordées en vertu de la *Loi sur l'éducation* de la même façon qu'un conseil public.

Part des subventions générales
L.R.O. 1980, chap. 129

(2) À compter du 1^{er} janvier 1989, le paragraphe 135 (2) de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, à l'égard des écoles gérées par la section publique et des écoles gérées par la section catholique de la même façon qu'il s'applique aux écoles séparées.

Part des subventions municipales

(3) Le lieutenant-gouverneur en conseil peut prévoir le paiement à la section publique ou à la section catholique, ou aux deux, des subventions spéciales et temporaires qu'il juge opportunes.

Subventions spéciales et temporaires

(4) Les subventions accordées en vertu du paragraphe (3) sont prélevées sur les sommes affectées par la Législature aux fins de l'éducation.

Idem

PARTIE X

ENSEIGNANTS ET AGENTS DE SUPERVISION

47 La partie IX de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française.

Enseignants

48 L'article 249 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française.

Qualification requise des agents de supervision

49 (1) La section publique nomme à titre de directeur de l'éducation une personne qui possède la qualification requise d'un agent de supervision aux termes de la *Loi sur l'éducation*.

Directeur de l'éducation pour la section publique

(2) La section catholique nomme à titre de directeur de l'éducation une personne qui possède la qualification requise d'un agent de supervision aux termes de la *Loi sur l'éducation*.

Directeur de l'éducation pour la section catholique

(3) Le directeur de l'éducation d'une section est responsable, devant cette section, de l'élaboration, de la mise en oeuvre, de l'application et de la supervision des programmes d'éducation dans les modules scolaires de langue française qui relèvent de cette section.

Fonctions des directeurs de l'éducation

(4) L'article 253 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, aux directeurs de l'éducation des sections.

Chef de service administratif des sections

Executive
director of
full board

50.—(1) The full board shall appoint a person who holds the qualifications required under the *Education Act* for a supervisory officer to be its executive director.

Idem

(2) The executive director is the chief executive officer of the full board.

Application
of certain
sections of
R.S.O. 1980,
c. 129

(3) Subsections 253 (2) and (3) of the *Education Act* apply with necessary modifications to the executive director of the full board.

Appointment
of
supervisory
officers

51.—(1) Sections 254 and 255 of the *Education Act* apply with necessary modifications to the French-language Board.

Duties of
supervisory
officers

(2) Section 256 of the *Education Act* applies with necessary modifications to the French-language Board.

Sharing
supervisory
officer

(3) Despite subsection 256 (4) of the *Education Act*, the Roman Catholic sector, the public sector and the full board or any two of them may enter into an agreement whereby one of them purchases the services of a supervisory officer of another of them.

Suspension
or dismissal
of
supervisory
officer

(4) Section 257 of the *Education Act* applies with necessary modifications to the French-language Board.

Abolition of
position

(5) The French-language Board shall not abolish the position of a supervisory officer without the approval of the Minister.

PART XI

RESOLUTION OF DISPUTES

Notice
requiring
resolution

52.—(1) If this Act provides that the exercise of a power, duty or right requires approval by both sectors, and the sectors do not agree on how to exercise it, either sector may by notice in writing to the other sector and to the Commission require that the matter be resolved under this Part.

Idem

(2) If this Act provides that a matter is to be resolved by agreement between the French-language Board or one of its sectors and one or more English-language boards and the time specified for making that agreement has elapsed without those parties reaching an agreement, the French-language Board shall by notice in writing to the other party or parties and to the Commission require that the matter be resolved under this Part.

50 (1) Le conseil plénier nomme à titre de directeur général une personne qui possède la qualification requise d'un agent de supervision aux termes de la *Loi sur l'éducation*.

Directeur
général du
conseil
plénier

(2) Le directeur général est le chef de service administratif du conseil plénier.

Idem

(3) Les paragraphes 253 (2) et (3) de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au directeur général du conseil plénier.

Champ d'ap-
plication de
certaines dis-
positions du
chap. 129 des
L.R.O. de
1980

51 (1) Les articles 254 et 255 de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au Conseil de langue française.

Nomination
des agents de
supervision

(2) L'article 256 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française.

Fonctions des
agents de
supervision

(3) Malgré le paragraphe 256 (4) de la *Loi sur l'éducation*, la section catholique, la section publique et le conseil plénier, ou deux d'entre eux, peuvent conclure une entente selon laquelle l'un d'eux achète les services d'un agent de supervision d'un autre d'entre eux.

Partage d'un
agent de
supervision

(4) L'article 257 de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française.

Suspension ou
congédiement
d'un agent de
supervision

(5) Le Conseil de langue française ne doit pas abolir le poste d'un agent de supervision sans l'approbation du ministre.

Abolition de
poste

PARTIE XI

RÉSOLUTION DES CONFLITS

52 (1) Si la présente loi prévoit que l'exercice d'un pouvoir, d'une fonction ou d'un droit nécessite l'approbation des deux sections et que les sections ne s'entendent pas quant à l'exercice de ce pouvoir, de cette fonction ou de ce droit, l'une ou l'autre des sections peut, en remettant un avis écrit à l'autre section et à la Commission, demander que la question soit résolue en vertu de la présente partie.

Avis de
demande de
résolution

(2) Si la présente loi prévoit qu'une question doit être résolue au moyen d'une entente entre le Conseil de langue française ou une de ses sections et un ou plusieurs conseils de langue anglaise, et que le délai imparti pour conclure cette entente a expiré sans que ces parties soient arrivées à une entente, le Conseil de langue française remet un avis écrit à l'autre ou aux autres parties et à la Commission pour demander que la question soit résolue en vertu de la présente partie.

Idem

Panel for
disputes
between
sectors

53.—(1) If a matter is referred to the Commission under subsection 52 (1), the chairman of the Commission shall appoint a panel composed of three of its French-speaking members to act for it in respect of that matter and, in that case, references to the Commission in sections 54 to 58 shall be deemed to be references to the panel.

Idem

(2) The chairman shall appoint one of the members of the panel to chair it.

Commission
to handle
other
disputes
Quorum

(3) The Commission shall act as a whole in respect of a matter referred to it under subsection 52 (2).

(4) If the Commission acts as a whole, a quorum consists of seven members of whom at least three shall be French-speaking and three English-speaking.

Person to
chair
Commission

(5) The chairman or a person designated by the chairman shall chair the Commission when it acts as a whole.

Parties
appoint
mediator

54.—(1) Forthwith after notice is given under section 52, the parties shall appoint a mediator to resolve their dispute and shall notify the Commission of the name and address of the mediator.

Referral to
Commission

(2) If, after fourteen days after a party receives notice under section 52, the parties are unable to agree on the appointment of a mediator, they shall refer the matter to the Commission for appointment of a mediator.

Commission
appoints
mediator

(3) The Commission shall appoint a mediator to resolve the dispute forthwith after the matter is referred to it.

Notice of
appointment

(4) The Commission shall communicate the name and address of a mediator appointed under subsection (3) to the parties.

Remuner-
ation

55.—(1) The parties shall pay the remuneration of the mediator in equal shares.

Idem

(2) A mediator appointed by the parties shall be paid such remuneration as is agreed upon between the mediator and the parties.

Idem

(3) A mediator appointed by the Commission shall be paid such remuneration as the Lieutenant Governor in Council may determine.

Who not
eligible as
mediator

(4) The following persons shall not be appointed as a mediator:

53 (1) Si une question est renvoyée à la Commission en vertu du paragraphe 52 (1), le président de la Commission constitue un comité composé de trois des membres francophones de la Commission qui traite de la question au nom de celle-ci, et, dans ce cas, les renvois à la Commission aux articles 54 à 58 sont réputés des renvois au comité.

Comité chargé
de résoudre
les conflits

(2) Le président nomme l'un des membres du comité à la présidence.

Idem

(3) La Commission entière traite des questions qui lui sont renvoyées en vertu du paragraphe 52 (2).

La Commission traite des
autres conflits

(4) Si la Commission entière traite d'un conflit, le quorum est de sept membres, dont au moins trois francophones et au moins trois anglophones.

Quorum

(5) Lorsque la Commission entière traite d'un conflit, le président ou une personne qu'il désigne assume la présidence de la Commission.

Personne qui
assume la
présidence

54 (1) Immédiatement après la remise de l'avis prévu à l'article 52, les parties nomment un médiateur pour résoudre leur conflit et avisent la Commission du nom et de l'adresse du médiateur.

Nomination
d'un médiateur par les
parties

(2) Si, au bout de quatorze jours après qu'une partie reçoit l'avis prévu à l'article 52, les parties n'arrivent pas à s'entendre sur la nomination d'un médiateur, elles renvoient la question à la Commission en vue de faire nommer un médiateur.

Renvoi à la
Commission

(3) La Commission nomme un médiateur pour résoudre le conflit immédiatement après avoir été saisie de la question.

Nomination
d'un médiateur par la
Commission

(4) La Commission communique aux parties le nom et l'adresse du médiateur nommé en vertu du paragraphe (3).

Avis de nomination

55 (1) Les parties paient à parts égales la rémunération du médiateur.

Rémunération

(2) Le médiateur nommé par les parties reçoit la rémunération dont il convient avec les parties.

Idem

(3) Le médiateur nommé par la Commission reçoit la rémunération que peut fixer le lieutenant-gouverneur en conseil.

Idem

(4) Les personnes suivantes ne doivent pas être nommées médiateur :

Inadmissibilité
aux fonctions
de médiateur

1. A member of the Commission.
2. A member of the French-language Board or of an English-language board.
3. The spouse of a person mentioned in paragraph 1 or 2.

Duties of mediator

56.—(1) The mediator shall inquire into the matter referred for mediation, confer with the parties, endeavour to bring about an agreement and report to the parties and to the Commission concerning whether an agreement has been reached.

Time for mediation

(2) The mediator shall make the report under subsection (1) within twenty-one days after being appointed or within such longer period as the parties may agree or the Commission may approve.

Agreement

(3) If an agreement is reached, it shall be in writing and signed by all of the parties to it.

Arbitration board appointed by parties

57.—(1) This section applies if the mediator's report indicates failure to bring about an agreement and there are two parties to the dispute.

Appointment of two members of arbitration board

(2) Each party shall, within ten days of receiving the mediator's report, appoint a person to the arbitration board and notify the Commission of the appointment.

If party fails to appoint a person

(3) If one party fails to appoint a person within ten days of receiving the mediator's report, the other party shall forthwith notify the Commission of the fact, and the Commission shall appoint a person in the place of the first party.

Chair

(4) The two persons appointed to the arbitration board shall jointly appoint a third person to chair it and shall notify the Commission of the appointment.

Idem

(5) If the two persons appointed to the arbitration board do not appoint a third person within ten days of the appointment of the second one of them, the Commission shall appoint a third person to chair the arbitration board.

Remuneration

(6) The parties shall pay the remuneration of the members of the arbitration board in equal shares.

Idem

(7) A member appointed by a party shall be paid such remuneration as is agreed upon between them.

1. Un membre de la Commission.
2. Un membre du Conseil de langue française ou d'un conseil de langue anglaise.
3. Le conjoint d'une personne visée à la disposition 1 ou 2.

56 (1) Le médiateur fait enquête sur la question soumise à sa médiation, s'entretient avec les parties, s'efforce de les faire arriver à une entente et présente aux parties et à la Commission un rapport indiquant si les parties sont arrivées à une entente.

Fonctions du médiateur

(2) Le médiateur présente le rapport prévu au paragraphe (1) dans les vingt et un jours qui suivent sa nomination ou dans un délai plus long dont les parties peuvent convenir ou que la Commission peut approuver.

Délai de médiation

(3) Si les parties arrivent à une entente, cette dernière est mise par écrit et signée par toutes les parties à cette entente.

Entente

57 (1) Le présent article s'applique si le rapport du médiateur indique que les parties n'ont pas conclu d'entente et s'il y a deux parties au conflit.

Conseil d'arbitrage constitué par les parties

(2) Dans les dix jours qui suivent la date où elle reçoit le rapport du médiateur, chaque partie nomme une personne au conseil d'arbitrage et en avise la Commission.

Nomination de deux membres du conseil d'arbitrage

(3) Si une partie ne nomme personne dans les dix jours qui suivent la date où elle reçoit le rapport du médiateur, l'autre partie en avise la Commission sans délai et cette dernière nomme une personne à la place de la première partie.

Cas où une partie ne nomme personne

(4) Les deux personnes nommées au conseil d'arbitrage nomment ensemble une troisième personne à la présidence et en avisent la Commission.

Présidence

(5) Si les deux personnes nommées au conseil d'arbitrage ne nomment pas une troisième personne dans les dix jours de la nomination du deuxième d'entre eux, la Commission nomme une troisième personne à la présidence du conseil d'arbitrage.

Idem

(6) Les parties paient à parts égales la rémunération des membres du conseil d'arbitrage.

Rémunération

(7) Le membre nommé par une partie reçoit la rémunération dont ils conviennent entre eux.

Idem

- Idem (8) A member appointed by the other members shall be paid such remuneration as is agreed upon between him or her and the parties.
- Idem (9) A member appointed by the Commission shall be paid such remuneration as the Lieutenant Governor in Council may determine.
- Duty of arbitration board (10) The arbitration board shall consider all pertinent aspects of the dispute and arrive at a decision within thirty days of the appointment of the third person.
- Majority decision (11) The decision of a majority of the members of the arbitration board is the board's decision.
- Decision final (12) The arbitration board's decision is final and binding upon the parties.
- R.S.O. 1980, c. 25 does not apply (13) The *Arbitrations Act* does not apply to arbitration boards appointed under this section.
- Arbitration board appointed by Lieutenant Governor in Council
Commission to notify Lieutenant Governor in Council
Appointment of arbitration board to resolve dispute
Remuneration
Idem
Duty of arbitration board
Majority decision
Decision final
- 58.—**(1) This section applies if the mediator's report indicates failure to bring about an agreement and there are more than two parties to the dispute.
- (2) If this section applies to a dispute, the Commission shall notify the Lieutenant Governor in Council of the fact as soon as possible.
- (3) The Lieutenant Governor in Council shall appoint an arbitration board of one or three persons to resolve the dispute.
- (4) The parties shall pay the remuneration of the members of the arbitration board in equal shares.
- (5) The members of the arbitration board shall be paid such remuneration as the Lieutenant Governor in Council may determine.
- (6) The arbitration board shall consider all pertinent aspects of the dispute and arrive at a decision within thirty days of being appointed.
- (7) If the arbitration board consists of three persons, the decision of a majority of them is the board's decision.
- (8) The arbitration board's decision is final and binding upon the parties.

- (8) Le membre nommé par les autres membres reçoit la rémunération dont il convient avec les parties. Idem
- (9) Le membre nommé par la Commission reçoit la rémunération que peut fixer le lieutenant-gouverneur en conseil. Idem
- (10) Le conseil d'arbitrage examine tous les aspects pertinents du conflit et arrive à une décision dans les trente jours qui suivent la nomination de la troisième personne. Devoir du conseil d'arbitrage
- (11) La décision de la majorité des membres du conseil d'arbitrage est la décision du conseil. Décision majoritaire
- (12) La décision du conseil d'arbitrage est définitive et lie les parties. Décision définitive
- (13) La *Loi sur l'arbitrage* ne s'applique pas aux conseils d'arbitrage constitués en vertu du présent article. Non-application du chap. 25 des L.R.O. de 1980
- 58** (1) Le présent article s'applique si le rapport du médiateur indique que les parties n'ont pas conclu d'entente et s'il y a plus de deux parties au conflit. Conseil d'arbitrage constitué par le lieutenant-gouverneur en conseil
- (2) Si le présent article s'applique à un conflit, la Commission en avise le lieutenant-gouverneur en conseil le plus tôt possible. La Commission avise le lieutenant-gouverneur en conseil
- (3) Le lieutenant-gouverneur en conseil constitue un conseil d'arbitrage composé d'une ou de trois personnes pour résoudre le conflit. Constitution d'un conseil d'arbitrage pour résoudre le conflit
- (4) Les parties paient à parts égales la rémunération des membres du conseil d'arbitrage. Rémunération
- (5) Les membres du conseil d'arbitrage reçoivent la rémunération que peut fixer le lieutenant-gouverneur en conseil. Idem
- (6) Le conseil d'arbitrage examine tous les aspects pertinents du conflit et arrive à une décision dans les trente jours qui suivent sa constitution. Devoir du conseil d'arbitrage
- (7) Si le conseil d'arbitrage est composé de trois personnes, la décision de la majorité d'entre eux est la décision du conseil. Décision majoritaire
- (8) La décision du conseil d'arbitrage est définitive et lie les parties. Décision définitive

R.S.O. 1980,
c. 25 does
not apply

(9) The *Arbitrations Act* does not apply to arbitration boards appointed under this section.

Enforcement
of decision

(10) A party to a dispute under this section between the French-language Board or one of its sectors and one or more English-language boards may cause a copy of the arbitration board's decision to be filed in the office of the Registrar of the Supreme Court, exclusive of the reasons therefor, and the decision shall be entered in the same way as a judgment of the Supreme Court and is enforceable as such.

Idem

(11) A decision of the arbitration board in respect to a dispute between the public sector and the Roman Catholic sector shall be deemed to be a decision of the French-language Board.

Idem

(12) A party to a dispute under this section between the public sector and the Roman Catholic sector may cause a copy of the arbitration board's decision to be filed in the office of the Registrar of the Supreme Court, exclusive of the reasons therefor, and the decision shall be entered in the same way as a judgment of the Supreme Court and is enforceable as such against any member of either sector.

PART XII

TRANSFER OF BUILDINGS AND ASSETS TO FRENCH-LANGUAGE BOARD

Transfer of
real property

59.—(1) Any real property of an English-language board that on the 31st day of January, 1988 was a school site used by French-language instructional units shall be transferred to the French-language Board on the 1st day of January, 1989.

Idem

(2) If a school site used by French-language instructional units of an English-language board on the 31st day of January, 1988 ceases to be so used on or before the 31st day of December, 1988 and a second school site is so used in its place, the French-language Board may require the second school site to be transferred to it under subsection (1) in the place of the first school site.

Idem

(3) Subject to subsection (2), if a school site was not used by French-language instructional units on the 31st day of January, 1988 but becomes so used on or before the 31st day of December, 1988, the school site shall be transferred to the French-language Board on the 1st day of January, 1989.

Transfer of
personal
property

(4) All of the personal property of an English-language board that was used at any time during the period from the

(9) La *Loi sur l'arbitrage* ne s'applique pas aux conseils d'arbitrage constitués en vertu du présent article.

Non-application du chap. 25 des L.R.O. de 1980

(10) Une partie à un conflit visé au présent article entre le Conseil de langue française ou une de ses sections, et un ou plusieurs conseils de langue anglaise peuvent faire déposer une copie de la décision du conseil d'arbitrage, à l'exclusion des motifs, au bureau de greffier de la Cour suprême. La décision est inscrite de la même façon qu'un jugement de la Cour suprême et est exécutoire à ce titre.

Exécution de la décision

(11) Une décision du conseil d'arbitrage à l'égard d'un conflit entre la section publique et la section catholique est réputée une décision du Conseil de langue française.

Idem

(12) Une partie à un conflit visé au présent article entre la section publique et la section catholique peut faire déposer une copie de la décision du conseil d'arbitrage, à l'exclusion des motifs, au bureau du greffier de la Cour suprême. La décision est inscrite de la même façon qu'un jugement de la Cour suprême et est exécutoire à ce titre contre tout membre de l'une ou l'autre des sections.

Idem

PARTIE XII

TRANSFERT DE BÂTIMENTS ET DE BIENS AU CONSEIL DE LANGUE FRANÇAISE

59 (1) Les biens immeubles d'un conseil de langue anglaise qui, le 31 janvier 1988, constituaient des emplacements scolaires utilisés par des modules scolaires de langue française sont transférés au Conseil de langue française le 1^{er} janvier 1989.

Transfert de biens immeubles

(2) Si un emplacement scolaire utilisé par des modules scolaires de langue française d'un conseil de langue anglaise le 31 janvier 1988 cesse d'être ainsi utilisé le 31 décembre 1988 ou avant, et qu'un second emplacement scolaire est utilisé à sa place, le Conseil de langue française peut exiger que ce second emplacement lui soit transféré, aux termes du paragraphe (1), à la place du premier emplacement.

Idem

(3) Sous réserve du paragraphe (2), si un emplacement scolaire n'était pas utilisé par des modules scolaires de langue française le 31 janvier 1988, mais le devient au plus tard le 31 décembre 1988, l'emplacement scolaire est transféré au Conseil de langue française le 1^{er} janvier 1989.

Idem

(4) Tous les biens meubles d'un conseil de langue anglaise qui étaient utilisés en tout temps entre le 31 janvier 1988 et le

Transfert de biens meubles

31st day of January, 1988 to the 31st day of December, 1988 on a school site that is to be transferred under this section shall be transferred to the French-language Board on the 1st day of January, 1989.

Debts re
transferred
property

(5) The French-language Board shall pay to the relevant English-language board on or before the due date all amounts of principal and interest becoming due upon any outstanding debts in respect of a school site transferred under this section from that English-language board to the French-language Board.

Transfer not
a closing

(6) A transfer of a school site under this section is not a closing of a school.

Agreement

(7) Subsections (1) to (4) are subject to any agreement concerning the transfer of school sites and the personal property on them,

(a) made between the French-language Board and an English-language board; or

(b) made before the 1st day of December, 1988 between two English-language boards and concurred in by a majority of the members of the French-language Education Council of each of them and a majority of the other members of each of them.

Allocation of
school sites

(8) The school sites transferred to the French-language Board by The Ottawa Board of Education or The Carleton Board of Education shall be allocated to the public sector and the school sites transferred to the French-language Board by The Ottawa Roman Catholic Separate School Board or The Carleton Roman Catholic School Board shall be allocated to the Roman Catholic sector.

Allocation of
personal
property

(9) The personal property transferred to the French-language Board under this section shall be allocated to the sector to which the school site on which it was used is allocated.

Re-allocation
of school
sites

(10) If there is a major shift in enrolment of pupils from one sector to the other, the sectors shall, by resolutions of both of them, re-allocate the school sites transferred to the French-language Board under this section to meet the needs of both sectors consequent upon that shift in enrolment.

Idem

(11) If only one sector resolves that a school site be re-allocated under subsection (10), either sector may require that the matter be resolved under Part XI.

31 décembre 1988 sur un emplacement scolaire qui doit être transféré aux termes du présent article sont transférés au Conseil de langue française le 1^{er} janvier 1989.

(5) Le Conseil de langue française paie au conseil de langue anglaise intéressé, au plus tard à la date d'exigibilité, tous les montants de principal et d'intérêts qui deviennent exigibles sur les dettes impayées à l'égard d'un emplacement scolaire transféré, aux termes du présent article, de ce conseil de langue anglaise au Conseil de langue française.

Dettes relatives aux biens transférés

(6) Le transfert d'un emplacement scolaire aux termes du présent article ne constitue pas la fermeture d'une école.

Le transfert n'est pas une fermeture

(7) Les paragraphes (1) à (4) sont assujettis à toute entente concernant le transfert d'emplacements scolaires et de biens meubles qui s'y trouvent, selon le cas :

Entente

- a) conclue entre le Conseil de langue française et un conseil de langue anglaise;
- b) conclue avant le 1^{er} décembre 1988 entre deux conseils de langue anglaise et à laquelle souscrivent la majorité des membres du conseil de l'enseignement en langue française de chacun de ces conseils et la majorité des autres membres de chacun d'eux.

(8) Les emplacements scolaires transférés au Conseil de langue française par le Conseil de l'éducation d'Ottawa et le Conseil de l'éducation de Carleton sont attribués à la section publique, et les emplacements scolaires transférés au Conseil de langue française par le Conseil des écoles séparées catholiques d'Ottawa et le Conseil des écoles séparées catholiques de Carleton sont attribués à la section catholique.

Attribution des emplacements scolaires

(9) Les biens meubles transférés au Conseil de langue française aux termes du présent article sont attribués à la section à laquelle l'emplacement scolaire où ils sont utilisés est attribué.

Attribution des biens meubles

(10) S'il se produit un déplacement important de l'effectif d'une section à l'autre, les sections, par voie de résolution des deux, procèdent à une nouvelle attribution des emplacements scolaires transférés au Conseil de langue française aux termes du présent article afin de répondre aux besoins des deux sections en conséquence de ce déplacement de l'effectif.

Nouvelle attribution des emplacements scolaires

(11) Si une seule des sections décide, par voie de résolution, de procéder à une nouvelle attribution d'un emplacement scolaire aux termes du paragraphe (10), l'une ou l'autre des sections peut exiger que la question soit résolue aux termes de la partie XI.

Idem

Transfer of
other assets
required

60.—(1) On or before the 31st day of August, 1989, each English-language board shall transfer to the French-language Board assets and reserves in addition to those transferred under section 59.

Equitable
contribution

(2) The assets and reserves to be transferred under this section by an English-language board shall represent an equitable contribution of that English-language board to the French-language Board.

Negotiations

(3) Forthwith after the 30th day of April, 1988, the members of each English-language board who are members of its French-language Education Council shall enter into negotiations with the other members of that board to choose the board's assets and reserves to be transferred to the French-language Board under this section.

Resolution

(4) On or before the 31st day of August, 1988, each English-language board shall by resolution confirm its choice of the assets and reserves it intends to transfer to the French-language Board under this section.

Idem

(5) An English-language board shall not adopt a resolution under this section unless a majority of its members who are members of its French-language Education Council and a majority of its other members agree to it.

If no
resolution

(6) If an English-language board does not adopt a resolution in the time provided by subsection (4), the choice of the assets and reserves to be transferred under this section shall be referred to the Commission as a dispute under Part XI and that Part shall apply with necessary modifications as if the dispute between the members of the French-language Education Council and the other members of the English-language board were a dispute between the French-language Board and an English-language board.

Parties

(7) The members of an English-language board who are members of its French-language Education Council and the other members of the board shall be deemed to be the two parties to a dispute under subsection (6).

Allocation of
assets

(8) The assets and reserves transferred to the French-language Board under this section shall be allocated to,

- (a) the public sector if they are transferred by The Ottawa Board of Education or The Carleton Board of Education;

60 (1) Au plus tard le 31 août 1989, chaque conseil de langue anglaise transfère au Conseil de langue française des biens et des réserves en plus de ceux qu'il transfère aux termes de l'article 59.

Transfert
d'autres biens

(2) Les biens et les réserves que transfère un conseil de langue anglaise aux termes du présent article constituent une contribution équitable de sa part au Conseil de langue française.

Contribution
équitable

(3) Immédiatement après le 30 avril 1988, les membres de chaque conseil de langue anglaise qui sont membres du conseil de l'enseignement en langue française relevant de leur conseil de langue anglaise entament des négociations avec les autres membres de leur conseil de langue anglaise afin de choisir les biens et les réserves du conseil qui seront transférés au Conseil de langue française aux termes du présent article.

Négociations

(4) Au plus tard le 31 août 1988, chaque conseil de langue anglaise confirme, par voie de résolution, le choix des biens et des réserves qu'il a l'intention de transférer au Conseil de langue française aux termes du présent article.

Résolution

(5) Un conseil de langue anglaise n'adopte une résolution prévue par le présent article que si la majorité de ses membres qui sont membres de son conseil de l'enseignement en langue française et la majorité de ses autres membres y consentent.

Idem

(6) Si un conseil de langue anglaise n'adopte pas de résolution au plus tard à la date prévue au paragraphe (4), le choix des biens et des réserves qui seront transférés aux termes du présent article est renvoyé à la Commission comme un conflit visé à la partie XI, et cette partie s'applique, avec les adaptations nécessaires, comme si le conflit entre les membres du conseil de l'enseignement en langue française et les autres membres du conseil de langue anglaise était un conflit entre le Conseil de langue française et un conseil de langue anglaise.

Défaut de
résolution

(7) Les membres d'un conseil de langue anglaise qui sont membres du conseil de l'enseignement en langue française relevant de leur conseil de langue anglaise et les autres membres du conseil de langue anglaise sont réputés les deux parties au conflit mentionné au paragraphe (6).

Parties

(8) Les biens et les réserves transférés au Conseil de langue française en vertu du présent article sont attribués :

Attribution
des biens

- a) à la section publique s'ils sont transférés par le Conseil de l'éducation d'Ottawa ou le Conseil de l'éducation de Carleton;

- (b) the Roman Catholic sector if they are transferred by The Ottawa Roman Catholic Separate School Board or The Carleton Roman Catholic Separate School Board.

If full board
not satisfied

(9) If on or before the 31st day of December, 1988 a sector determines by resolution that the assets and reserves of an English-language board chosen for transfer to that sector do not represent an equitable contribution, it shall refer the choice of assets and reserves to the Commission as a dispute under Part XI.

Parties

(10) The sector and the relevant English-language board shall be deemed to be the parties to a dispute under subsection (9).

Full board to
determine
needs

(11) The full board shall determine what assets it needs in order to exercise its jurisdiction under this Act.

Proportion

(12) Each sector shall allocate a portion of the assets allocated to it under this section to the full board to meet its needs.

Idem

(13) The value of the assets allocated by a sector shall be the same proportion of the value allocated by both sectors that the average daily enrolment of pupils in the schools of the relevant sector bears to the average daily enrolment of pupils in all of the schools of the French-language Board.

Agreement

(14) Each sector shall by agreement with the full board determine which of the assets allocated to it under subsection (8) are to be re-allocated to the full board and shall re-allocate those assets.

PART XIII

TRANSFER OF EMPLOYEES TO FRENCH-LANGUAGE BOARD

Definitions

61. In this Part,

"employé"
R.S.O. 1980,
c. 228

"employee" means a teacher or other employee and includes an employee as defined in the *Labour Relations Act* but does not include the director of education, the secretary or the treasurer of the board;

"ancienneté"

"seniority", in respect of a transferred employee, means,

- (a) seniority as agreed upon between the English-language board that employed the transferred employee and the organization that entered into a

- b) à la section catholique s'ils sont transférés par le Conseil des écoles séparées catholiques d'Ottawa ou par le Conseil des écoles séparées catholiques de Carleton.

(9) Si, au plus tard le 31 décembre 1988, une section établit par voie de résolution que les biens et les réserves d'un conseil de langue anglaise qui ont été choisis pour le transfert à cette section ne représentent pas une contribution équitable, elle renvoie le choix des biens et des réserves à la Commission comme un conflit visé à la partie XI.

Cas où le conseil plénier n'est pas satisfait

(10) La section intéressée et le conseil de langue anglaise intéressé sont réputés les parties au conflit visé au paragraphe (9).

Parties

(11) Le conseil plénier décide des biens dont il a besoin pour exercer sa compétence en vertu de la présente loi.

Le conseil plénier établit les besoins

(12) Chaque section attribue une partie des biens qui lui sont attribués en vertu de la loi au conseil plénier pour répondre aux besoins de celui-ci.

Proportion

(13) Le rapport entre la valeur des biens attribués par une section et la valeur attribuée par les deux sections est le même que celui qui existe entre l'effectif quotidien moyen dans les écoles de la section intéressée et l'effectif quotidien moyen dans toutes les écoles du Conseil de langue française.

Idem

(14) Chaque section choisit, au moyen d'une entente avec le conseil plénier, lesquels des biens qui lui sont attribués en vertu du paragraphe (8) doivent être attribués de nouveau au conseil plénier, et attribue de nouveau ces biens.

Entente

PARTIE XIII

MUTATION D'EMPLOYÉS AU CONSEIL DE LANGUE FRANÇAISE

61 Les définitions qui suivent s'appliquent à la présente partie.

Définitions

«ancienneté» S'entend de ce qui suit, en ce qui concerne un employé muté :

«seniority»

- a) soit l'ancienneté dont ont convenu entre eux le conseil de langue anglaise qui employait l'employé muté et l'organisation qui a conclu une convention collective avec le conseil de langue anglaise à l'égard de l'employé muté;

collective agreement with the English-language board in respect of the transferred employees, or

- (b) if there is no collective agreement, seniority as determined in accordance with the policy of the English-language board;

"employé
muté"

"transferred employee" means an employee of an English-language board who is transferred to the French-language Board under this Part.

Assignment
of services

62.—(1) Each English-language board shall assign to the French-language Board the services in respect of French-language instructional units of each of its employees who during the period from the 1st day of September, 1988 to the 31st day of December, 1988 is assigned or recruited to provide services in or on behalf of French-language instructional units.

Period of
assignment

(2) The services of each employee shall be assigned for the period beginning from the 1st day of January, 1989 and ending on the earlier of the 31st day of August, 1989 or the date agreed upon by the French-language Board and the relevant English-language board.

Fee for
services

(3) The French-language Board shall pay to the relevant English-language board an amount agreed upon by both boards for the services provided under this section.

Definition
"employé
désigné"

63.—(1) In this section, "designated employee" means an employee of an English-language board who on the 1st day of December, 1988,

- (a) is assigned or recruited by that board exclusively for work in or on behalf of French-language instructional units; or
- (b) being employed in the manner described in clause (a), is on authorized leave from that work or temporarily assigned to other work.

Notice to
designated
employees

(2) On or before the 15th day of December, 1988, each English-language board shall notify each of its designated employees in writing that he or she will be transferred to the French-language Board effective the 1st day of September, 1989.

Idem

(3) The notice shall inform the employee that he or she may object to the transfer by notice in writing to the English-language board on or before the 1st day of February, 1989.

- b) soit, s'il n'y a pas de convention collective, l'ancienneté telle qu'elle est établie par la politique du conseil de langue anglaise.

«employé» S'entend d'un enseignant ou d'un autre employé, y compris un employé au sens de la *Loi sur les relations de travail*. Sont toutefois exclus le directeur de l'éducation, le secrétaire et le trésorier du conseil.

«employee»
L.R.O. 1980,
chap. 228

«employé muté» Employé d'un conseil de langue anglaise qui est muté au Conseil de langue française aux termes de la présente partie.

«transferred employee»

62 (1) Chaque conseil de langue anglaise assigne au Conseil de langue française les services à l'égard des modules scolaires de langue française de chacun de ses employés qui, pendant la période allant du 1^{er} septembre 1988 au 31 décembre 1988, est affecté ou recruté pour fournir des services dans les modules scolaires de langue française ou pour leur compte.

Assignment de services

(2) Les services de chaque employé sont assignés pour la période commençant le 1^{er} janvier 1989 et se terminant soit le 31 août 1989, soit à la date convenue par le Conseil de langue française et le conseil de langue anglaise intéressé, selon celle de ces deux dates qui survient en premier lieu.

Période d'assignation

(3) Le Conseil de langue française paie au conseil de langue anglaise intéressé une somme convenue par les deux conseils pour les services fournis aux termes du présent article.

Paiement des services

63 (1) Dans le présent article, «employé désigné» s'entend d'un employé d'un conseil de langue anglaise qui, le 1^{er} décembre 1988, selon le cas :

Définition
«designated employee»

- a) est affecté ou recruté par ce conseil pour travailler exclusivement dans les modules scolaires de langue française ou pour leur compte;
- b) tout en étant employé de la façon décrite à l'alinéa a), est en congé autorisé ou temporairement affecté à d'autres tâches.

(2) Au plus tard le 15 décembre 1988, chaque conseil de langue anglaise avise par écrit chacun de ses employés désignés qu'il sera muté au Conseil de langue française à compter du 1^{er} septembre 1989.

Avis aux employés désignés

(3) L'avis informe l'employé qu'il peut s'opposer à la mutation au moyen d'un avis écrit adressé au conseil de langue anglaise au plus tard le 1^{er} février 1989.

Idem

Notice of
positions
available

(4) Forthwith after the 1st day of February, 1989, each English-language board shall post notice of the positions in respect of which notices of objection have been received in a conspicuous place in each of its schools and keep the notice posted for at least two weeks.

Applications
invited

(5) The notice shall invite applications from other employees who are willing and qualified to be transferred to the French-language Board in the place of the designated employees who objected to their transfer.

Seniority

(6) The English-language boards shall choose the other employees who are to be transferred in the place of objecting designated employees on the basis of seniority.

Replacement
deemed to
be designated
employee

(7) If another employee who is qualified to be transferred to the French-language Board in the place of a designated employee applies for a position, the other employee shall be deemed to be a designated employee and the employee who objected shall be deemed not to be a designated employee.

Notice of
transfer

(8) Forthwith after the 15th day of May, 1989, each English-language board shall notify all of its designated employees in writing that they will be transferred to the French-language Board effective the 1st day of September, 1989.

Responsi-
bility for
contracts

(9) Subject to sections 67 and 75, the teaching contract, employment contract or employment relationship, as the case may be, of an employee who is transferred under this section is transferred to and assumed by the French-language Board effective the 1st day of September, 1989.

Similar
employment

(10) The French-language Board shall employ a person whose teaching contract, employment contract or employment relationship is transferred to it in a position substantially similar to the position in which the person was employed by the English-language board immediately before the transfer.

Collective
agreement

(11) Subsections (2) to (7) are subject to any applicable collective agreement.

Determine
number of
employees

64.—(1) Each English-language board shall determine the number of its employees other than those designated under section 63 whose services will not be required by it consequent upon the formation of the French-language Board.

Determine
number of
positions

(2) The French-language Board shall determine the number of positions it will need to fill consequent upon its formation.

(4) Immédiatement après le 1^{er} février 1989, chaque conseil de langue anglaise affiche un avis des postes à l'égard desquels des avis d'objection ont été reçus, dans un endroit bien en vue dans chacune de ses écoles et laisse l'avis affiché pendant au moins deux semaines.

Avis des
postes
disponibles

(5) L'avis invite à postuler les autres employés qui accepteraient d'être mutés au Conseil de langue française à la place des employés désignés qui se sont opposés à leur mutation, et possèdent les qualités requises.

Appel de
demandes

(6) Les conseils de langue anglaise choisissent en fonction de l'ancienneté les autres employés qui seront mutés à la place des employés désignés qui s'opposent à leur mutation.

Ancienneté

(7) Si un autre employé qui possède les qualités requises pour être muté au Conseil de langue française à la place d'un employé désigné fait une demande d'emploi, l'autre employé est réputé un employé désigné et l'employé qui s'est opposé est réputé ne pas être un employé désigné.

Remplaçant
réputé un
employé
désigné

(8) Immédiatement après le 15 mai 1989, chaque conseil de langue anglaise avise par écrit tous ses employés désignés qu'ils seront mutés au Conseil de langue française à compter du 1^{er} septembre 1989.

Avis de
mutation

(9) Sous réserve des articles 67 et 75, le contrat d'enseignement, le contrat d'emploi ou la relation de travail, selon le cas, de l'employé muté en vertu du présent article est transféré au Conseil de langue française à compter du 1^{er} septembre 1989, et ce conseil l'assume.

Responsabilité
des contrats

(10) Le Conseil de langue française accorde à la personne dont le contrat d'enseignement, le contrat d'emploi ou la relation de travail lui est transféré un poste essentiellement semblable à celui qu'elle occupait au conseil de langue anglaise immédiatement avant sa mutation.

Emploi
semblable

(11) Les paragraphes (2) à (7) sont assujettis à toute convention collective applicable.

Convention
collective

64 (1) Chaque conseil de langue anglaise décide du nombre de ses employés, autres que ceux qui sont désignés aux termes de l'article 63, dont il ne nécessitera pas les services par suite de la formation du Conseil de langue française.

Nombre
d'employés

(2) Le Conseil de langue française décide du nombre de postes qu'il devra combler par suite de sa formation.

Nombre de
postes

Select
employees
for transfer

(3) The English-language boards and the French-language Board shall select the employees of the English-language boards who are to be transferred to the French-language Board to fill the positions referred to in subsection (2).

Selection by
agreements

(4) The selections under subsection (3) shall be made by agreements between the public sector and The Ottawa Board of Education, the public sector and The Carleton Board of Education, the Roman Catholic sector and The Ottawa Roman Catholic Separate School Board and the Roman Catholic sector and The Carleton Roman Catholic Separate School Board.

Agreements
may be
combined

(5) Either sector, by written notice to the two English-language boards with which it is to make agreements under subsection (4), may choose to negotiate one agreement with both of them rather than separate agreements with each of them.

Contents of
agreements

(6) The agreements shall provide for,

- (a) the exchange of enrolment and other data among the boards so as to enable them to make the appropriate selections;
- (b) methods for encouraging voluntary transfers of employees to positions with the French-language Board; and
- (c) a right of first refusal, on the basis of seniority, for selected persons with respect to positions that become vacant in their English-language board.

Idem

(7) The agreements may contain provisions in addition to those required by subsection (6), including provisions to encourage the secondment and assignment of services of teachers and supervisory officers of the English-language board to positions with the French-language Board.

Collective
agreements

(8) No agreement under subsection (4) renders inoperative any provision in a collective agreement unless the parties to the collective agreement agree in writing to an amendment to it.

Yearly
selections

(9) The determinations and selection shall be made in 1989, 1990 and 1991, not later than the last day of February in each year.

Notice to
selected
employees

(10) On or before the 1st day of March in 1989, 1990 and 1991, each English-language board shall notify in writing each of its employees who have been selected for transfer in the

(3) Les conseils de langue anglaise et le Conseil de langue française choisissent les employés des conseils de langue anglaise qui doivent être mutés au Conseil de langue française pour combler les postes visés au paragraphe (2).

Choix des employés devant être mutés

(4) Les choix prévus au paragraphe (3) sont faits au moyen d'ententes entre la section publique et le Conseil de l'éducation d'Ottawa, la section publique et le Conseil de l'éducation de Carleton, la section catholique et le Conseil des écoles séparées catholiques d'Ottawa, et la section catholique et le Conseil des écoles séparées catholiques de Carleton.

Choix au moyen d'une entente

(5) L'une ou l'autre des sections peut, au moyen d'un avis écrit remis aux deux conseils de langue anglaise avec lesquels elle conclut des ententes aux termes du paragraphe (4), choisir de négocier une seule entente avec les deux conseils plutôt qu'une entente distincte avec chacun d'eux.

Les ententes peuvent être jointes

(6) Les ententes prévoient ce qui suit :

Contenu des ententes

- a) l'échange de données sur l'effectif et d'autres sujets entre les conseils de façon à leur permettre de faire les choix appropriés;
- b) des méthodes visant à encourager les employés à accepter volontairement des mutations à des postes au Conseil de langue française;
- c) un droit de premier refus, en fonction de l'ancienneté, pour les personnes choisies en ce qui concerne les postes qui deviennent vacants dans leur conseil de langue anglaise.

(7) Les ententes peuvent comprendre, outre les dispositions exigées par le paragraphe (6), des dispositions visant notamment à encourager les détachements et l'assignation des services d'enseignants et d'agents de supervision des conseils de langue anglaise à des postes au Conseil de langue française.

Idem

(8) L'entente prévue au paragraphe (4) ne rend inopérante aucune disposition d'une convention collective, à moins que les parties à la convention collective ne conviennent, par écrit, de modifier la convention collective.

Conventions collectives

(9) Les décisions et le choix sont faits en 1989, 1990 et 1991, au plus tard le dernier jour de février de chaque année.

Choix annuels

(10) Au plus tard le 1^{er} mars en 1989, 1990 et 1991, chaque conseil de langue anglaise avise par écrit chacun de ses employés qui ont été choisis pour la mutation au cours de

Avis aux employés choisis

relevant year that he or she will be transferred to the French-language Board effective the 1st day of September next following.

Idem

(11) The notice shall inform the employee that he or she may object to the transfer by notice in writing to the English-language board on or before the 1st day of April in that year.

Notice of
positions
available

(12) Forthwith after the 1st day of April in 1989, 1990 and 1991, each English-language board shall post notice of the positions in respect of which notices of objection have been received in a conspicuous place in each of its schools and keep the notice posted for at least two weeks.

Applications
invited

(13) The notice shall invite applications from other employees who are willing and qualified to be transferred to the French-language Board in the place of the selected employees who objected to their transfer.

Replacement
deemed to
be selected

(14) If another employee who is qualified to be transferred to the French-language Board in the place of the selected employee applies for a position, the other employee shall be deemed to be so selected and the employee who objected shall be deemed not to be so selected.

Notice of
transfer

(15) Forthwith after the 15th day of May in 1989, 1990 and 1991, each English-language board shall give written notice to all of its employees who are selected for transfer in the relevant year that they will be transferred to the French-language Board effective the 1st day of September in that year.

Responsi-
bility for
contracts

(16) Subject to sections 67 and 75, the teaching contract, employment contract or employment relationship, as the case may be, of an employee selected under subsection (3) or (14) is transferred to and assumed by the French-language Board effective the 1st day of September next following the date upon which the agreement is reached or such earlier date as all of the boards may agree upon.

Similar
employment

(17) The French-language Board shall employ a person whose teaching contract, employment contract or employment relationship is transferred to it in a position substantially similar to the position in which the person was employed by the English-language board immediately before the transfer.

Seniority

(18) Subject to any collective agreement in effect, each English-language board shall determine the persons who are to be selected for transfer for any given position under subsection (3) or (14) on the basis of seniority.

l'année en question qu'il sera muté au Conseil de langue française à compter du 1^{er} septembre suivant.

(11) L'avis informe l'employé qu'il peut s'opposer à la mutation au moyen d'un avis écrit adressé au conseil de langue anglaise au plus tard le 1^{er} avril de cette année. Idem

(12) Immédiatement après le 1^{er} avril en 1989, 1990 et 1991, chaque conseil de langue anglaise affiche un avis des postes à l'égard desquels des avis d'objection ont été reçus, dans un endroit bien en vue dans chacune de ses écoles et laisse l'avis affiché pendant au moins deux semaines. Avis des postes disponibles

(13) L'avis invite à postuler les autres employés qui accepteraient d'être mutés au Conseil de langue française à la place des employés choisis qui se sont opposés à leur mutation, et possèdent les qualités requises. Appel de demandes

(14) Si un autre employé qui possède les qualités requises pour être muté au Conseil de langue française à la place de l'employé choisi fait une demande d'emploi, l'autre employé est réputé avoir été choisi et l'employé qui s'est opposé est réputé ne pas l'avoir été. Remplaçant réputé choisi

(15) Immédiatement après le 15 mai en 1989, 1990 et 1991, chaque conseil de langue anglaise avise par écrit tous ses employés choisis pour la mutation au cours de l'année en question qu'ils seront mutés au Conseil de langue française à compter du 1^{er} septembre de cette année. Avis de mutation

(16) Sous réserve des articles 67 et 75, le contrat d'enseignement, le contrat d'emploi ou la relation de travail, selon le cas, de l'employé choisi en vertu du paragraphe (3) ou (14) est transféré au Conseil de langue française et ce conseil l'assume, à compter du 1^{er} septembre qui suit la date de l'entente ou d'une date antérieure dont ont convenu tous les conseils. Responsabilité des contrats

(17) Le Conseil de langue française accorde à la personne dont le contrat d'enseignement, le contrat d'emploi ou la relation de travail lui est transféré un poste essentiellement semblable à celui qu'elle occupait au conseil de langue anglaise immédiatement avant sa mutation. Emploi semblable

(18) Sous réserve des conventions collectives en vigueur, chaque conseil de langue anglaise décide en fonction de l'ancienneté des personnes qui sont choisies pour la mutation à des postes donnés aux termes du paragraphe (3) ou (14). Ancienneté

Priority to
employees of
English-
language
boards

(19) In 1989, 1990 and 1991, the French-language Board shall not hire a person who is not an employee of an English-language board to fill a position required to be filled under subsection (2) if there is an employee of an English-language board whose services are no longer required under subsection (1) and who is qualified and available to fill the position.

Collective
agreement

(20) Subsections (10) to (14) are subject to any applicable collective agreement.

Identify
employees
for whom
there is no
position

65.—(1) The agreements made in 1989, 1990 and 1991 under subsection 64 (4) shall identify the employees of each English-language board for whom there is no position on the English-language board or the French-language Board consequent upon the formation of the French-language Board.

Entitled to
training
assistance

(2) An employee described in subsection (1) is entitled to receive training assistance comparable to the training assistance prescribed for a designated person under subsection 136-1 (9) of the *Education Act*.

R.S.O. 1980,
c. 129

Maintain in
employ

(3) The relevant sector or the relevant English-language board shall maintain an employee described in subsection (1) in its employ, provide the training assistance to which the employee is entitled and offer the employee employment in a position appropriate to the employee's previous or newly acquired qualifications.

Agreement

(4) The agreements under subsection 64 (4) shall provide for an equitable sharing of the responsibility under subsection (3).

Idem

(5) In determining what is an equitable sharing of responsibility, the boards shall consider for each category of employees within each English-language board all of the relevant circumstances including,

- (a) the number of employees who have been transferred to the French-language Board under sections 63 and 64;
- (b) the number of employees described in subsection (1);
- (c) the total number of employees of the English-language board; and

(19) En 1989, 1990 et 1991, le Conseil de langue française ne doit pas engager une personne qui n'est pas un employé d'un conseil de langue anglaise pour combler un poste qui doit être comblé aux termes du paragraphe (2) s'il y a un employé d'un conseil de langue anglaise dont les services ne sont plus nécessaires aux termes du paragraphe (1) qui est disponible et possède les qualités requises pour assumer ce poste.

Priorité accordée aux employés des conseils de langue anglaise

(20) Les paragraphes (10) à (14) sont assujettis à toute convention collective applicable.

Convention collective

65 (1) Les ententes conclues en 1989, 1990 et 1991 aux termes du paragraphe 64 (4) énoncent les noms des employés de chaque conseil de langue anglaise pour lesquels il n'y a de poste ni au conseil de langue anglaise ni au Conseil de langue française par suite de la formation du Conseil de langue française.

Noms des employés sans poste

(2) Les employés visés au paragraphe (1) ont le droit de recevoir une aide en matière de formation semblable à l'aide prescrite pour une personne désignée en vertu du paragraphe 136-1 (9) de la *Loi sur l'éducation*.

Aide en matière de formation

L.R.O. 1980, chap. 129

(3) La section intéressée ou le conseil de langue anglaise intéressé garde l'employé visé au paragraphe (1) à son service, lui fournit l'aide en matière de formation à laquelle il a droit et lui offre un poste qui correspond à sa formation préalable ou à sa formation nouvellement acquise.

Maintien en poste

(4) Les ententes visées au paragraphe 64 (4) prévoient un partage équitable de la responsabilité visée au paragraphe (3).

Entente

(5) Pour déterminer ce qui constitue un partage équitable de la responsabilité, les conseils tiennent compte, pour chaque catégorie d'employés dans chaque conseil de langue anglaise, de toutes les circonstances pertinentes, y compris les éléments suivants :

Idem

- a) le nombre d'employés qui ont été mutés au Conseil de langue française en vertu des articles 63 et 64;
- b) le nombre d'employés visés au paragraphe (1);
- c) le nombre total d'employés du conseil de langue anglaise;

- (d) the percentage of pupils who were pupils of that English-language board and have transferred to the French-language Board.

Idem

(6) For the purpose of subsection (5), the categories of employees are supervisory officers, teachers, secretaries, maintenance workers, administrative assistants and other employees.

Responsible
for contracts

(7) Subject to sections 67 and 75, the teaching contract, employment contract or employment relationship, as the case may be, of an employee for whom the French-language Board is responsible under this section is transferred to and assumed by the French-language Board effective the 1st day of September next following the date upon which the agreement providing for that responsibility is reached or such earlier date as the parties to the agreement may agree upon.

Priority of
identified
employees

(8) In 1989, 1990 and 1991, an English-language board shall not hire a person other than an employee identified under subsection (1) to fill a position unless there is no such employee who is qualified to fill the position and whose employment continues to be maintained by any of the English-language boards or the French-language Board.

Jurisdiction
within
French-
language
Board

66.—(1) The teaching contract, employment contract or employment relationship of a transferred employee is under the jurisdiction of,

- (a) the public sector, if the employee is transferred from The Ottawa Board of Education or The Carleton Board of Education;
- (b) the Roman Catholic sector, if the employee is transferred from The Ottawa Roman Catholic Separate School Board or The Carleton Roman Catholic Separate School Board.

Agreement
for transfer
to full board

(2) Subject to section 75, the public sector and the Roman Catholic sector shall each make an agreement with the full board to transfer specified employees and their contracts or employment relationships from the relevant sector to the full board.

Idem

(3) In making the agreements, the parties shall take into account the needs of the relevant sector, the needs of the full board and the requirements under subsections 63 (10) and 64 (17) that transferred employees be employed in positions substantially similar to their positions before the transfer.

- d) le pourcentage d'élèves qui étaient des élèves de ce conseil de langue anglaise et qui sont passés au Conseil de langue française.

(6) Pour l'application du paragraphe (5), les catégories d'employés sont les agents de supervision, les enseignants, les secrétaires, les préposés à l'entretien, les adjoints administratifs et les autres employés. Idem

(7) Sous réserve des articles 67 et 75, le contrat d'enseignement, le contrat d'emploi ou la relation de travail, selon le cas, d'un employé dont le Conseil de langue française est responsable aux termes du présent article est transféré au Conseil de langue française et celui-ci l'assume, à compter du 1^{er} septembre qui suit la date de l'entente qui prévoit cette responsabilité ou d'une date antérieure dont conviennent les parties à l'entente. Responsabilité
des contrats

(8) En 1989, 1990 et 1991, un conseil de langue anglaise ne doit pas engager une personne qui n'est pas un employé dont le nom est énoncé en vertu du paragraphe (1) pour combler un poste à moins qu'il n'y ait pas un tel employé qui possède les qualités requises pour assumer ce poste et qui continue d'être employé par un des conseils de langue anglaise ou le Conseil de langue française. Priorité aux
employés dont
les noms sont
énoncés

66 (1) Le contrat d'enseignement, le contrat d'emploi ou la relation de travail d'un employé muté relève : Compétence
au sein du
Conseil
de langue
française

- a) de la section publique, si l'employé est muté du Conseil de l'éducation d'Ottawa ou du Conseil de l'éducation de Carleton;
- b) de la section catholique, si l'employé est muté du Conseil des écoles séparées catholiques d'Ottawa ou du Conseil des écoles séparées catholiques de Carleton.

(2) Sous réserve de l'article 75, la section publique et la section catholique concluent chacune avec le conseil plénier une entente en vue de la mutation d'employés spécifiés et de leur contrat ou relation de travail, de la section intéressée au conseil plénier. Entente en
vue de la
mutation au
conseil
plénier

(3) Lorsqu'elles concluent les ententes, les parties tiennent compte des besoins de la section intéressée, des besoins du conseil plénier et des exigences prévues aux paragraphes 63 (10) et 64 (17) selon lesquelles les employés mutés doivent occuper des postes essentiellement semblables à ceux qu'ils occupaient avant la mutation. Idem

Seniority

(4) Subject to any collective agreement in effect, the parties shall determine on the basis of seniority which employees are to be transferred to the full board.

Terms of employment

67.—(1) The terms of employment of the following transferred employees shall be determined under the collective agreement or board policy that applied to them immediately before the transfer until the French-language Board reaches a new collective agreement or determines a board policy that applies to them:

1. Transferred employees who are transferred from an English-language board in 1989 and who immediately before the transfer were working in a building of that English-language board that was transferred to the French-language Board.
2. Transferred employees who are transferred from an English-language board in 1990 or 1991, if the terms of employment applying to them immediately before the transfer are determined under a collective agreement or board policy that still applies to other employees with substantially the same job description who were transferred from the same English-language board in 1989.

Idem

(2) The terms of employment of the following persons shall be determined in the manner provided in subsections (3) and (4):

1. Persons who are not transferred employees and who are recruited or assigned to work for the French-language Board in 1989, 1990 or 1991.
2. Transferred employees who are transferred from an English-language board in 1990 or 1991, if the terms of employment have been renegotiated by the French-language Board for other transferred employees who,
 - i. were transferred in 1989 from that same English-language board, and
 - ii. have substantially the same job description.
3. Transferred employees who are transferred from an English-language board if,
 - i. immediately before the transfer they were working in a building of that English-language

(4) Sous réserve des conventions collectives en vigueur, les parties choisissent en fonction de l'ancienneté les employés qui sont mutés au conseil plénier. Ancienneté

67 (1) Les conditions d'emploi des employés mutés suivants sont établies aux termes de la convention collective ou de la politique de conseil qui s'appliquait à eux immédiatement avant la mutation, jusqu'à ce que le Conseil de langue française conclue une nouvelle convention collective ou établisse une politique de conseil qui s'applique à eux : Conditions d'emploi

1. Les employés mutés qui sont mutés d'un conseil de langue anglaise en 1989 et qui, immédiatement avant la mutation, travaillaient dans un bâtiment du conseil de langue anglaise qui a été transféré au Conseil de langue française.
2. Les employés mutés qui sont mutés d'un conseil de langue anglaise en 1990 ou 1991, si les conditions d'emploi qui s'appliquaient à eux immédiatement avant la mutation sont établies aux termes d'une convention collective ou d'une politique de conseil qui s'applique encore à d'autres employés qui ont des descriptions d'emploi essentiellement semblables et qui ont été mutés du même conseil de langue anglaise en 1989.

(2) Les conditions d'emploi des personnes suivantes sont établies de la façon prévue aux paragraphes (3) et (4) : Idem

1. Les personnes qui ne sont pas des employés mutés et qui sont recrutées ou affectées pour travailler pour le Conseil de langue française en 1989, 1990 ou 1991.
2. Les employés mutés qui sont mutés d'un conseil de langue anglaise en 1990 ou 1991, si les conditions d'emploi ont été renégociées par le Conseil de langue française pour les autres employés mutés qui :
 - i. d'une part, ont été mutés en 1989 du même conseil de langue anglaise,
 - ii. d'autre part, ont des descriptions d'emploi essentiellement semblables.
3. Les employés mutés qui sont mutés d'un conseil de langue anglaise si :
 - i. d'une part, ils travaillaient, immédiatement avant la mutation, dans un bâtiment de ce

board that was not transferred to the French-language Board, and

- ii. the collective agreement or board policy governing their terms of employment is different from that applying to other transferred employees having substantially the same job description who immediately before their transfer were working in a building of that English-language board that was transferred to the French-language Board.

Idem

(3) The terms of employment of a person described in subsection (2) shall be determined under the collective agreement or board policy applying to transferred employees who,

- (a) were transferred from the same English-language board that transferred the building in which the person is recruited or assigned to work; and
- (b) have substantially the same job description.

Idem

(4) If a person described in subsection (2) is recruited or assigned to work in a building that was not transferred from an English-language board, the French-language Board shall determine which collective agreement or board policy governs that person's terms of employment.

Definition
"ancienneté"

68.—(1) In this section, "seniority", in respect of a position in a school or premises of the French-language Board, means seniority determined on the basis of the seniority list applying to employees transferred from the same English-language board that transferred the school or premises.

Hiring
persons

(2) The French-language Board shall not hire a person who is not a transferred employee if there is a transferred employee who is qualified, willing and available to fill the position.

Idem

(3) Before a sector or the full board fills a position, it shall notify all transferred employees and employees described in section 65 of the position by causing a notice to be posted in all of the schools of both sectors and of the English-language boards and at the head office of the French-language Board and the English-language boards.

conseil de langue anglaise qui n'a pas été transféré au Conseil de langue française,

- ii. d'autre part, la convention collective ou la politique de conseil qui régit leurs conditions d'emploi est différente de celle qui s'applique aux autres employés mutés qui ont des descriptions d'emploi essentiellement semblables et qui, immédiatement avant leur mutation, travaillaient dans un bâtiment de ce conseil de langue anglaise qui a été transféré au Conseil de langue française.

(3) Les conditions d'emploi de la personne décrite au paragraphe (2) sont établies aux termes de la convention collective ou de la politique de conseil s'appliquant aux employés mutés qui :

Idem

- a) d'une part, ont été mutés du même conseil de langue anglaise qui a transféré le bâtiment dans lequel la personne recrutée ou affectée est censée travailler;
- b) d'autre part, ont des descriptions d'emploi essentiellement semblables.

(4) Si la personne décrite au paragraphe (2) est recrutée ou affectée pour travailler dans un bâtiment qui n'a pas été transféré du conseil de langue anglaise, le Conseil de langue française choisit quelle convention collective ou politique de conseil régit les conditions d'emploi de cette personne.

Idem

68 (1) Dans le présent article, «ancienneté», à l'égard d'un poste dans une école ou des lieux du Conseil de langue française, s'entend de l'ancienneté établie en fonction de la liste d'ancienneté qui s'applique aux employés mutés du conseil de langue anglaise qui a transféré l'école ou les lieux.

Définition
«seniority»

(2) Le Conseil de langue française ne doit pas engager une personne qui n'est pas un employé muté s'il y a un employé muté qui est disponible, qui possède les qualités requises pour assumer le poste et qui accepte de le faire.

Engagement
de personnes

(3) Avant de combler un poste, la section ou le conseil plénier avise du poste tous les employés mutés et tous les employés décrits à l'article 65 en faisant afficher un avis dans toutes les écoles des deux sections et de tous les conseils de langue anglaise ainsi qu'aux sièges sociaux du Conseil de langue française et des conseils de langue anglaise.

Idem

Seniority of
transferred
employees

(4) No person who is not a transferred employee shall have seniority over a transferred employee who is employed by the French-language Board and has substantially the same job description.

Idem

(5) Subsection (4) applies even if the persons' contracts or employment relationships are administered by different sectors or one is administered by a sector and the other by the full board.

Application
of section

(6) This section applies until the 30th day of June, 1999.

Agreement

(7) The French-language Board and the branch affiliate or affiliates representing persons having substantially the same job descriptions may by agreement in writing provide that a provision in this section does not apply to those persons.

Conflict

R.S.O. 1980,
c. 228

(8) This section does not apply if an application is made under section 63 of the *Labour Relations Act* in respect of employees who are deemed to be intermingled under section 75 of this Act.

Compen-
sation rate

69. If the terms of employment of a transferred employee change under section 67 as a result of the transfer, the employee has the right to an annual rate of salary equal to the greater of,

- (a) the annual rate of salary that the employee would have been entitled to if he or she had continued to be employed by the English-language board in the first year that he or she is employed by the French-language Board; or
- (b) the annual rate of salary of the position in which he or she is employed by the French-language Board.

Sick leave
credits

70.—(1) Sick leave credits standing to a transferred employee's credit with an English-language board shall be transferred to the plan maintained by the French-language Board at the time the person's employment is transferred.

Idem

(2) If the French-language Board does not maintain a plan at the time a transferred employee's contract or employment relationship is transferred, the employee is entitled to receive sick leave benefits from the French-language Board and the French-language Board shall place to the employee's credit the sick leave credits standing to his or her credit in the plan that applied to the employee while employed by the English-language board.

(4) Quiconque n'est pas un employé muté n'a pas plus d'ancienneté qu'un employé muté ayant une description d'emploi essentiellement semblable au Conseil de langue française.

Ancienneté
des employés
mutés

(5) Le paragraphe (4) s'applique même si les contrats ou les relations de travail des personnes sont administrés par des sections différentes ou qu'ils sont administrés les uns par une section et les autres par le conseil plénier.

Idem

(6) Le présent article s'applique jusqu'au 30 juin 1999.

Application
de l'article

(7) Le Conseil de langue française et la ou les sections locales représentant les personnes qui ont des descriptions d'emploi essentiellement semblables peuvent conclure une entente écrite qui prévoit qu'une disposition du présent article ne s'applique pas à ces personnes.

Entente

(8) Le présent article ne s'applique pas si une requête est présentée en vertu de l'article 63 de la *Loi sur les relations de travail* à l'égard d'employés réputés réunis en vertu de l'article 75 de la présente loi.

Incompatibi-
lité
L.R.O. 1980,
chap. 228

69 Si les conditions d'emploi d'un employé muté changent aux termes de l'article 67 par suite de la mutation, l'employé a droit à un taux de salaire annuel égal au plus élevé des montants suivants :

Taux de
rémunération

- a) le taux de salaire annuel auquel l'employé aurait eu droit s'il était resté au service du conseil de langue anglaise pendant la première année où il est au service du Conseil de langue française;
- b) le taux de salaire annuel du poste auquel il est employé au Conseil de langue française.

70 (1) Les crédits pour congés de maladie que l'employé muté a accumulés auprès d'un conseil de langue anglaise sont transférés au régime que maintient le Conseil de langue française au moment de la mutation de l'employé.

Crédits pour
congés de
maladie

(2) Si le Conseil de langue française ne maintient pas de régime au moment où le contrat ou la relation de travail de l'employé muté est transféré, l'employé a droit à des congés de maladie de la part du Conseil de langue française, et celui-ci crédite à l'employé les crédits pour congés de maladie que l'employé a accumulés dans le régime qui s'appliquait à lui lorsqu'il était au service du conseil de langue anglaise.

Idem

Credit for
total accumu-
lation

(3) If the terms of the plan maintained by the French-language Board differ from the terms of the plan that applied to the transferred employee while employed by the English-language board and the number of sick leave credits transferred exceeds the total number of sick leave credits that may be accumulated under the plan maintained by the French-language Board, the transferred employee shall be given credit for the number transferred but is not entitled to accumulate further sick leave credits unless the plan maintained by the French-language Board is amended to permit a greater accumulation.

Accumulation
and use of
sick leave
credits

(4) Subject to subsection (3), a transferred employee is entitled to accumulate and to use sick leave credits in accordance with the plan maintained by the French-language Board.

Gratuity

71.—(1) Upon termination of employment with the French-language Board, a transferred employee is entitled to payment of an amount calculated in accordance with the teaching contract, employment contract or employment relationship that applied in respect of the person on the last date that the person was employed by the English-language board as though the person had continued to be employed by the English-language board.

Idem

(2) In lieu of the payment under subsection (1), a transferred employee has the right to require payment of an amount calculated in accordance with the teaching contract, employment contract or employment relationship that applies in respect of the person on the last date that the person is employed by the French-language Board.

Idem

(3) The amount of the payment under this section shall be shared by the English-language board and the French-language Board in the ratio that the number of years of the transferred employee's service with each board bears to the total number of years of his or her service with both boards.

Employee
dispute
resolution

72.—(1) A dispute in respect of any matter arising under this Part in the employment relationship between an employee and the French-language Board or an English-language board may be resolved by a grievance arbitration in accordance with this section.

Parties

(2) The parties to the arbitration are the French-language Board or the relevant English-language board, as the case requires, and the person or, if the person is employed under a collective agreement, the organization that represents the person under the collective agreement.

(3) Si les conditions du régime maintenu par le Conseil de langue française diffèrent des conditions du régime qui s'appliquait à l'employé muté lorsqu'il était au service du conseil de langue anglaise et que le nombre de crédits pour congés de maladie qui sont transférés dépasse le nombre total de crédits de ce genre qui peuvent être accumulés en vertu du régime maintenu par le Conseil de langue française, l'employé muté reçoit un crédit pour le nombre ainsi transféré. Il n'a toutefois pas le droit d'accumuler d'autres crédits pour congés de maladie à moins que le régime maintenu par le Conseil de langue française ne soit modifié afin de permettre l'accumulation d'un plus grand nombre de crédits.

Nombre total
de crédits
accumulés

(4) Sous réserve du paragraphe (3), l'employé muté a le droit d'accumuler et d'utiliser des crédits pour congés de maladie conformément au régime que maintient le Conseil de langue française.

Accumulation
et utilisation
des crédits
pour congés
de maladie

71 (1) À la fin de son emploi au Conseil de langue française, l'employé muté a le droit de recevoir un montant calculé conformément au contrat d'enseignement, au contrat d'emploi ou à la relation de travail qui s'appliquait à son égard le dernier jour de son emploi auprès du conseil de langue anglaise, comme si la personne était restée au service du conseil de langue anglaise.

Droit à un
paiement

(2) Au lieu de recevoir le paiement prévu au paragraphe (1), l'employé muté a le droit d'exiger le paiement d'un montant calculé conformément au contrat d'enseignement, au contrat d'emploi ou à la relation de travail qui s'applique à son égard le dernier jour de son emploi au Conseil de langue française.

Idem

(3) Le conseil de langue anglaise et le Conseil de langue française se partagent le montant du paiement prévu au présent article en fonction du rapport qui existe entre le nombre d'années de service de l'employé muté auprès de chaque conseil et le nombre total d'années de service de l'employé muté auprès des deux conseils.

Idem

72 (1) Un conflit à l'égard d'une question soulevée dans le cadre de la présente partie relativement à la relation de travail entre un employé et le Conseil de langue française ou un conseil de langue anglaise peut être résolu par arbitrage des griefs conformément au présent article.

Résolution
des conflits
des employés

(2) Les parties à l'arbitrage sont le Conseil de langue française ou le conseil de langue anglaise intéressé, selon le cas, et la personne ou, si cette dernière est employée aux termes d'une convention collective, l'organisation qui la représente aux termes de la convention collective.

Parties

Grievance
arbitration
R.S.O. 1980,
c. 129

(3) Subsections 136m (3) to (16) and sections 136ma, 136mb, 136mc, 136md and 136me of the *Education Act* apply with necessary modifications to a grievance arbitration under subsection (1).

Transfer of
employees
from public
to Roman
Catholic
sector

73.—(1) Sections 136-l, 136-la, 136m, 136ma, 136mb, 136mc, 136md and 136me of the *Education Act* apply with necessary modifications to the transfer of employees from the public sector to the Roman Catholic sector, and for the purpose of applying those provisions the Roman Catholic sector shall be deemed to begin to perform the duties of a secondary school board on the 1st day of January, 1989.

Regulations
not to apply

(2) Despite subsection (1), the regulations under section 136-l of the *Education Act* do not apply to the French-language Board and if the sectors fail to reach an agreement under that section the matter shall be referred to the Commission as a dispute under Part XI.

Application
of R.S.O.
1980, c. 464

74.—(1) For the purposes of the *School Boards and Teachers Collective Negotiations Act*,

- (a) the Roman Catholic sector shall be deemed to be a Roman Catholic separate school board in respect of its elementary schools and a secondary school board in respect of its secondary schools;
- (b) the public sector shall be deemed to be a public board in respect of its elementary schools and a secondary school board in respect of its secondary schools.

Idem

(2) For the purposes of that Act, the following branch affiliates shall be deemed to exist:

- 1. One consisting of the members of l'Association des Enseignants Franco-Ontariens who are assigned to the French-language Board under section 62 or designated under section 63 and who work in elementary schools of the public sector.
- 2. One consisting of the members of l'Association des Enseignants Franco-Ontariens who are assigned to the French-language Board under section 62 or designated under section 63 and who work in secondary schools of the public sector.

(3) Les paragraphes 136m (3) à (16) et les articles 136ma, 136mb, 136mc, 136md et 136me de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, à l'arbitrage des griefs prévu au paragraphe (1).

Arbitrage des griefs
L.R.O. 1980,
chap. 129

73 (1) Les articles 136-l, 136-la, 136m, 136ma, 136mb, 136mc, 136md et 136me de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, à la mutation d'employés de la section publique à la section catholique. Pour l'application de ces dispositions, la section catholique est réputée commencer à s'acquitter des fonctions d'un conseil d'écoles secondaires le 1^{er} janvier 1989.

Mutation d'employés de la section publique à la section catholique

(2) Malgré le paragraphe (1), les règlements pris en application de l'article 136-l de la *Loi sur l'éducation* ne s'appliquent pas au Conseil de langue française, et si les sections n'arrivent pas à une entente dans le cadre de cet article, la question est renvoyée à la Commission comme un conflit visé à la partie XI.

Certains règlements ne s'appliquent pas

74 (1) Pour l'application de la *Loi sur la négociation collective entre conseils scolaires et enseignants* :

Champ d'application du chap. 464 des L.R.O. de 1980

- a) la section catholique est réputée un conseil d'écoles séparées catholiques en ce qui concerne ses écoles élémentaires et un conseil d'écoles secondaires en ce qui concerne ses écoles secondaires;
- b) la section publique est réputée un conseil public en ce qui concerne ses écoles élémentaires et un conseil d'écoles secondaires en ce qui concerne ses écoles secondaires.

(2) Pour l'application de cette loi, les sections locales suivantes sont réputées exister :

Idem

1. Une section locale composée des membres de l'Association des Enseignants Franco-Ontariens qui sont affectés au Conseil de langue française en vertu de l'article 62 ou désignés en vertu de l'article 63, et qui travaillent dans des écoles élémentaires de la section publique.
2. Une section locale composée des membres de l'Association des Enseignants Franco-Ontariens qui sont affectés au Conseil de langue française en vertu de l'article 62 ou désignés en vertu de l'article 63, et qui travaillent dans des écoles secondaires de la section publique.

3. One consisting of the members of l'Association des Enseignants Franco-Ontariens who are assigned to the French-language Board under section 62 or designated under section 63 and who work in elementary schools of the Roman Catholic sector.
4. One consisting of the members of l'Association des Enseignants Franco-Ontariens who are assigned to the French-language Board under section 62 or designated under section 63 and who work in secondary schools of the Roman Catholic sector.
5. One consisting of the members of The Ontario Secondary School Teachers' Federation who are assigned to the French-language Board under section 62 or designated under section 63 and who work in secondary schools of the public sector.
6. One consisting of the members of The Ontario Secondary School Teachers' Federation who are assigned to the French-language Board under section 62 or designated under section 63 and who work in secondary schools of the Roman Catholic sector.

Deemed
notice of
desire to
negotiate
R.S.O. 1980,
c. 464

(3) Notice of desire to negotiate shall be deemed to have been given by each of the branch affiliates under section 9 of the *School Boards and Teachers Collective Negotiations Act* on the 1st day of January, 1989.

Transfer of
jurisdiction
not limited

(4) Despite subsection 4 (1) of the *School Boards and Teachers Collective Negotiations Act*, nothing in subsection (1) limits the right of the sectors to transfer their jurisdiction over collective bargaining to the full board under subsection 4 (4) of this Act.

Successor
rights
R.S.O. 1980,
c. 228

75.—(1) For the purpose of section 63 of the *Labour Relations Act*, the employees who are not teachers and who are transferred from the English-language boards to the public sector shall be deemed to have been intermingled, and,

- (a) the Labour Relations Board may exercise the like powers as it may exercise under subsections 63 (6) and (8) of that Act with respect to the sale of a business under that section;

3. Une section locale composée des membres de l'Association des Enseignants Franco-Ontariens qui sont affectés au Conseil de langue française en vertu de l'article 62 ou désignés en vertu de l'article 63, et qui travaillent dans des écoles élémentaires de la section catholique.
4. Une section locale composée des membres de l'Association des Enseignants Franco-Ontariens qui sont affectés au Conseil de langue française en vertu de l'article 62 ou désignés en vertu de l'article 63, et qui travaillent dans des écoles secondaires de la section catholique.
5. Une section locale composée des membres de la Fédération des enseignantes-enseignants des écoles secondaires de l'Ontario qui sont affectés au Conseil de langue française en vertu de l'article 62 ou désignés en vertu de l'article 63, et qui travaillent dans des écoles secondaires de la section publique.
6. Une section locale composée des membres de la Fédération des enseignantes-enseignants des écoles secondaires de l'Ontario qui sont affectés au Conseil de langue française en vertu de l'article 62 ou désignés en vertu de l'article 63, et qui travaillent dans des écoles secondaires de la section catholique.

(3) L'avis d'intention de négocier est réputé avoir été donné par chacune des sections locales en vertu de l'article 9 de la *Loi sur la négociation collective entre conseils scolaires et enseignants* le 1^{er} janvier 1989.

Avis d'intention de négocier réputé donné
L.R.O. 1980,
chap. 464

(4) Malgré le paragraphe 4 (1) de la *Loi sur la négociation collective entre conseils scolaires et enseignants*, le paragraphe (1) n'a pas pour effet de restreindre le droit des sections de transférer au conseil plénier, en vertu du paragraphe 4 (4) de la présente loi, leur compétence en matière de négociation collective.

Le transfert de compétence n'est pas restreint

75 (1) Pour l'application de l'article 63 de la *Loi sur les relations de travail*, les employés qui ne sont pas des enseignants et qui sont mutés des conseils de langue anglaise à la section publique sont réputés réunis et les dispositions suivantes s'appliquent :

Droits du conseil qui succède
L.R.O. 1980,
chap. 228

- a) la Commission des relations de travail peut exercer les mêmes pouvoirs que ceux qu'elle peut exercer en vertu des paragraphes 63 (6) et (8) de cette loi relativement à la vente d'une entreprise aux termes de cet article;

- (b) the public sector has the like rights and obligations as a person to whom a business is sold under that section and who intermingles the employees of one of the person's businesses with those of another of the person's businesses; and
- (c) any trade union or council of trade unions concerned has the like rights and obligations as it would have in the case of the intermingling of employees in two or more businesses under section 63 of that Act.

Idem

(2) Subsection (1) applies with necessary modifications in respect of employees transferred to the Roman Catholic sector or to the full board in the same manner as to employees transferred to the public sector.

Certain sections prevail

(3) Sections 69, 70 and 71 prevail over this section in respect of employees described in this section.

Non-application of certain sections

(4) Sections 67, 68 and 72 do not apply to employees described in this section after an application is made to the Labour Relations Board under this section.

PART XIV

MISCELLANEOUS, TRANSITION AND COMPLEMENTARY AMENDMENTS

Application of Part I of R.S.O. 1980, c. 129

76. Part I of the *Education Act* applies with necessary modifications to the French-language Board.

Visitors, religious exercises and education

77. Sections 50, 51 and 136 and subsection 104 (2) of the *Education Act* apply with necessary modifications to the French-language Board.

Transition, 1988 election

78. Despite section 277i of the *Education Act*, no members shall be elected to a French-language section of an English-language board in the regular election to be held in 1988.

Transitional period

79.—(1) This section applies from the 1st day of December, 1988 to the 31st day of December, 1988.

Non-application of R.S.O. 1980, c. 129, s. 277m

(2) Section 277m of the *Education Act* does not apply to the English-language boards.

- b) la section publique a les mêmes droits et obligations qu'une personne à laquelle est vendue une entreprise aux termes de cet article et qui réunit les employés d'une de ses entreprises avec ceux d'une autre de ses entreprises;
- c) tout syndicat ou conseil de syndicats intéressé a les mêmes droits et obligations qu'il aurait dans le cas d'une réunion d'employés de deux ou plusieurs entreprises aux termes de l'article 63 de cette loi.

(2) Le paragraphe (1) s'applique, avec les adaptations nécessaires, à l'égard des employés mutés à la section catholique ou au conseil plénier de la même façon qu'aux employés mutés à la section publique. Idem

(3) Les articles 69, 70 et 71 l'emportent sur le présent article à l'égard des employés décrits au présent article. Certains articles l'emportent

(4) Les articles 67, 68 et 72 ne s'appliquent pas aux employés décrits au présent article après qu'une requête est présentée à la Commission des relations de travail en vertu du présent article. Non-application de certains articles

PARTIE XIV

DISPOSITIONS DIVERSES, DISPOSITIONS TRANSITOIRES ET MODIFICATIONS CORRÉLATIVES

76 La partie I de la *Loi sur l'éducation* s'applique, avec les adaptations nécessaires, au Conseil de langue française. Champ d'application de la partie I du chap. 129 des L.R.O. de 1980

77 Les articles 50, 51 et 136, et le paragraphe 104 (2) de la *Loi sur l'éducation* s'appliquent, avec les adaptations nécessaires, au Conseil de langue française. Visiteurs, exercices et enseignement religieux

78 Malgré l'article 277i de la *Loi sur l'éducation*, aucun membre n'est élu à la section de langue française d'un conseil de langue anglaise au cours de l'élection ordinaire devant se tenir en 1988. Disposition transitoire, élection de 1988

79 (1) Le présent article s'applique du 1^{er} décembre 1988 au 31 décembre 1988. Période de transition

(2) L'article 277m de la *Loi sur l'éducation* ne s'applique pas aux conseils de langue anglaise. Non-application de l'art. 277m du chap. 129 des L.R.O. de 1980

When
approval
required
R.S.O. 1980,
c. 129

(3) An English-language board shall not do anything that is described in subsection 277m (1) (exclusive jurisdiction of French-language sections) of the *Education Act* or that may affect its French-language instructional units without the approval of,

- (a) the Roman Catholic sector, in the case of The Ottawa Roman Catholic Separate School Board and The Carleton Roman Catholic Separate School Board; or
- (b) the public sector, in the case of The Ottawa Board of Education and The Carleton Board of Education.

80.—(1) Section 1 of the *Assessment Act*, being chapter 31 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1982, chapter 40, section 3, is further amended by adding thereto the following clause:

- (i) “French-speaking person” means a person who has the right under subsection 23 (1) or (2), without regard to subsection 23 (3), of the *Canadian Charter of Rights and Freedoms* to have his or her children receive their primary and secondary school instruction in the French language in Ontario.

(2) Subsection 13 (1) of the said Act, as amended by the Statutes of Ontario, 1981, chapter 47, section 2 and 1982, chapter 56, section 1, is further amended by adding thereto the following paragraphs:

- 16. Language, if the assessment roll is for a municipality in The Regional Municipality of Ottawa-Carleton and the person is a French-speaking person.
- 19. In the case of an assessment roll for a municipality in The Regional Municipality of Ottawa-Carleton, whether a public school supporter, separate school supporter or a supporter of the public sector or the Roman Catholic sector of The Ottawa-Carleton French-language School Board, by inserting the letters “p”, “s”, “fp” or “fs”, as the case may be.

(3) Section 15 of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 47, section 3 and amended by the Statutes of Ontario, 1988, chapter 20, section 22, is further amended by adding thereto the following subsection:

(3) Un conseil de langue anglaise ne doit prendre aucune mesure dans un des domaines décrits au paragraphe 277m (1) (compétence exclusive des sections de langue française) de la *Loi sur l'éducation* ni aucune mesure qui pourrait toucher ses modules scolaires de langue française sans l'approbation :

Cas où une approbation est nécessaire

L.R.O. 1980, chap. 129

- a) de la section catholique, dans le cas du Conseil des écoles séparées catholiques d'Ottawa et du Conseil des écoles séparées catholiques de Carleton;
- b) de la section publique, dans le cas du Conseil de l'éducation d'Ottawa et du Conseil de l'éducation de Carleton.

80 (1) L'article 1 de la *Loi sur l'évaluation foncière*, qui constitue le chapitre 31 des Lois refondues de l'Ontario de 1980, tel qu'il est modifié par l'article 3 du chapitre 40 des Lois de l'Ontario de 1982, est modifié de nouveau par adjonction de l'alinéa suivant :

- (i) "French-speaking person" means a person who has the right under subsection 23 (1) or (2), without regard to subsection 23 (3), of the *Canadian Charter of Rights and Freedoms* to have his or her children receive their primary and secondary school instruction in the French language in Ontario.*

(2) Le paragraphe 13 (1) de cette loi, tel qu'il est modifié par l'article 2 du chapitre 47 des Lois de l'Ontario de 1981 et par l'article 1 du chapitre 56 des Lois de l'Ontario de 1982, est modifié de nouveau par adjonction des dispositions suivantes :

- 16. Language, if the assessment roll is for a municipality in The Regional Municipality of Ottawa-Carleton and the person is a French-speaking person.
- 19. In the case of an assessment roll for a municipality in The Regional Municipality of Ottawa-Carleton, whether a public school supporter, separate school supporter or a supporter of the public sector or the Roman Catholic sector of The Ottawa-Carleton French-language School Board, by inserting the letters "p", "s", "fp" or "fs", as the case may be.*

(3) L'article 15 de cette loi, tel qu'il est adopté de nouveau par l'article 3 du chapitre 47 des Lois de l'Ontario de 1981 et modifié par l'article 22 du chapitre 20 des Lois de l'Ontario de 1988, est modifié de nouveau par adjonction du paragraphe suivant :

Idem

(6a) The assessment commissioner shall also accept an application in respect of a municipality in The Regional Municipality of Ottawa-Carleton as *prima facie* evidence for placing a person on the list as a supporter of the public sector or the Roman Catholic sector of The Ottawa-Carleton French-language School Board if the application indicates that a person is a French-speaking person and a public sector supporter or a French-speaking person, a Roman Catholic and a Roman Catholic sector supporter.

(4) Subsection 30 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 58, section 2, is amended by striking out "paragraphs 1 to 18 of" in the second line and by striking out clause (b) and inserting in lieu thereof:

(b) such person's school support; and

(5) Clause 39 (1) (c) of the said Act, as enacted by the Statutes of Ontario, 1982, chapter 40, section 3, is amended by striking out "as a public or separate school supporter" in the first and second lines and inserting in lieu thereof "in respect of school support".

(6) Subsection 50 (1) of the said Act, as amended by the Statutes of Ontario, 1981, chapter 47, section 10, is further amended by striking out "as a public or separate school supporter" in the amendment of 1981 and inserting in lieu thereof "in respect of school support".

81. Subsection 275 (1) of the *Education Act*, being chapter 129 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

Commission
continued

(1) The Languages of Instruction Commission of Ontario is hereby continued and shall be composed of nine members appointed by the Lieutenant Governor in Council, at least four of whom shall be French-speaking and at least four of whom shall be English-speaking, and one of the members shall be appointed as chairman.

82.—(1) Paragraph 31 of section 1 of the *Municipal Elections Act*, being chapter 308 of the Revised Statutes of Ontario, 1980, is amended by adding at the end thereof "or an elector of the public sector or the Roman Catholic sector of The Ottawa-Carleton French-language School Board".

(6a) The assessment commissioner shall also accept an application in respect of a municipality in The Regional Municipality of Ottawa-Carleton as *prima facie* evidence for placing a person on the list as a supporter of the public sector or the Roman Catholic sector of The Ottawa-Carleton French-language School Board if the application indicates that a person is a French-speaking person and a public sector supporter or a French-speaking person, a Roman Catholic and a Roman Catholic sector supporter.* Idem

(4) Le paragraphe 30 (1) de cette loi, tel qu'il est adopté de nouveau par l'article 2 du chapitre 58 des Lois de l'Ontario de 1983, est modifié par suppression des mots «paragraphs 1 to 18 of» à la deuxième ligne et par substitution à l'alinéa (b) de ce qui suit :

(b) such person's school support; and*

(5) L'alinéa 39 (1) c) de cette loi, tel qu'il est adopté de nouveau par l'article 3 du chapitre 40 des Lois de l'Ontario de 1982, est modifié par substitution, aux mots «as a public or separate school supporter» aux première et deuxième lignes, des mots «in respect of school support».

(6) Le paragraphe 50 (1) de cette loi, tel qu'il est modifié par l'article 10 du chapitre 47 des Lois de l'Ontario de 1981, est modifié de nouveau par substitution, aux mots «as a public or separate school supporter», des mots «in respect of school support».

81 Le paragraphe 275 (1) de la *Loi sur l'éducation*, qui constitue le chapitre 129 des Lois refondues de l'Ontario de 1980, est abrogé et remplacé par ce qui suit :

(1) The Languages of Instruction Commission of Ontario is hereby continued and shall be composed of nine members appointed by the Lieutenant Governor in Council, at least four of whom shall be French-speaking and at least four of whom shall be English-speaking, and one of the members shall be appointed as chairman.*

Commission
continued

82 (1) La disposition 31 de l'article 1 de la *Loi sur les élections municipales*, qui constitue le chapitre 308 des Lois refondues de l'Ontario de 1980, est modifiée par adjonction des mots «or an elector of the public sector or the Roman Catholic sector of The Ottawa-Carleton French-language School Board».

(2) Section 19 of the said Act, as amended by the Statutes of Ontario, 1986, chapter 29, section 12 and 1988, chapter 20, section 6, is further amended by adding thereto the following clause:

1988, c. 47

- (g) who is an elector for the Roman Catholic or public sector of The Ottawa-Carleton French-language School Board under the *Ottawa-Carleton French-Language School Board Act, 1988*, that the elector is such an elector.

(3) Subsection 49 (1) of the said Act, as amended by the Statutes of Ontario, 1986, chapter 29, section 12 and 1987, chapter 12, section 11, is further amended by adding thereto the following paragraph:

1988, c. 47

- 6b. Where the election is to the office of member of the Roman Catholic or public sector of The Ottawa-Carleton French-language School Board under the *Ottawa-Carleton French-Language School Board Act, 1988*, to be elected by electors entitled to elect members of that sector in a municipality or in a part thereof, or in a combination of municipalities in The Regional Municipality of Ottawa-Carleton, a public sector or Roman Catholic sector elector is entitled to as many votes as there are members of that sector to be elected by such electors in such municipality or part, or combination of municipalities, as the case may be, but may not give more than one vote to any one candidate.

Commence-
ment

83.—(1) This Act, except sections 15 and 60, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 15 and 60 shall be deemed to have come into force on the 30th day of April, 1988.

Short title

84. The short title of this Act is the *Ottawa-Carleton French-Language School Board Act, 1988*.

(2) L'article 19 de cette loi, tel qu'il est modifié par l'article 12 du chapitre 29 des Lois de l'Ontario de 1986 et l'article 6 du chapitre 20 des Lois de l'Ontario de 1988, est modifié de nouveau par adjonction de l'alinéa suivant :

- (g) who is an elector for the Roman Catholic or public sector of The Ottawa-Carleton French-language School Board under the *Ottawa-Carleton French-Language School Board Act, 1988*, that the elector is such an elector.* 1988, c. 47

(3) Le paragraphe 49 (1) de cette loi, tel qu'il est modifié par l'article 12 du chapitre 29 des Lois de l'Ontario de 1986 et par l'article 11 du chapitre 12 des Lois de l'Ontario de 1987, est modifié de nouveau par adjonction de la disposition suivante :

- 6b. Where the election is to the office of member of the Roman Catholic or public sector of The Ottawa-Carleton French-language School Board under the *Ottawa-Carleton French-Language School Board Act, 1988*, to be elected by electors entitled to elect members of that sector in a municipality or in a part thereof, or in a combination of municipalities in The Regional Municipality of Ottawa-Carleton, a public sector or Roman Catholic sector elector is entitled to as many votes as there are members of that sector to be elected by such electors in such municipality or part, or combination of municipalities, as the case may be, but may not give more than one vote to any one candidate.* 1988, c. 47

83 (1) La présente loi, à l'exception des articles 15 et 60, entre en vigueur le jour où elle reçoit la sanction royale. Entrée en vigueur

(2) Les articles 15 et 60 sont réputés être entrés en vigueur le 30 avril 1988. Idem

84 Le titre abrégé de la présente loi est *Loi de 1988 sur le Conseil scolaire de langue française d'Ottawa-Carleton*. Titre abrégé

*Les lois modifiées n'ayant été promulguées qu'en anglais, il n'existe pas de texte français exigeant une modification législative.

Because the amended statutes were enacted only in English, there is no French text to amend.

CHAPTER 48

An Act to amend the Mining Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The *Mining Act*, being chapter 268 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following section:

59a.—(1) A recorder may, by order, relieve an unpatented mining claim that is subject to forfeiture as a result of an administrative error from the forfeiture. Relief from forfeiture

(2) If any part of a claim referred to in subsection (1) has been staked by another staker, the recorder shall refer the matter to the Commissioner. Previous staking

(3) On a reference under subsection (2), the Commissioner may make such order, subject to such conditions, as the Commissioner considers appropriate. Order by Commissioner

(4) An order under subsection (1) or (3) may grant an extension of time for performing and reporting any work required to be performed in respect of the claim or provide for the payment of any fees in respect of the claim, or both. Extension of time

2. Subsection 190 (1) of the said Act is amended by adding thereto the following clause:

- (d) prescribing classes of instruments and documents that may be filed through transmission by electronic means.

3. Subsection 212 (1) of the said Act is amended by striking out “registered” in the sixth line and inserting in lieu thereof “certified”.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Mining Amendment Act, 1988*.

CHAPTER 49

An Act to amend the Gasoline Handling Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause 1 (c) of the *Gasoline Handling Act*, being chapter 185 of the Revised Statutes of Ontario, 1980, is repealed.

(2) Section 1 of the said Act is amended by adding thereto the following clauses:

(la) “private outlet” means any premises at which gasoline or an associated product of the operator of the outlet is put into the fuel tanks of motor vehicles used by the operator of the outlet or into portable containers used by the operator of the outlet;

.

(ma) “retail outlet” means any premises at which gasoline or an associated product is sold and is put into the fuel tanks of motor vehicles or into portable containers.

(3) Clause 1 (n) of the said Act is repealed.

2. Clause 2 (c) of the said Act is amended by striking out “service station, consumer outlet” in the first line and inserting in lieu thereof “private outlet, retail outlet”.

3. Section 3 of the said Act is amended by striking out “service station, consumer outlet” in the first line and inserting in lieu thereof “private outlet, retail outlet”.

4.—(1) Clause 6 (1) (a) of the said Act is amended by striking out “service station” and inserting in lieu thereof “retail outlet”.

(2) Subsection 6 (2) of the said Act is amended by striking out "consumer outlet" in the second line and inserting in lieu thereof "private outlet" and by striking out "service station" in the second and third lines and inserting in lieu thereof "retail outlet".

5. The said Act is amended by adding thereto the following section:

Application
at private
outlets only

6a.—(1) The application of this section is limited to underground tanks located at private outlets or at sites that were private outlets.

Declaration

(2) Any owner of an underground tank that is being used for the storage of gasoline or an associated product or, if the owner is not the operator of the outlet, the operator of the outlet using the tank may file with the Director a declaration relating to the tank and evidence that the tank and associated piping are protected from external corrosion in accordance with the regulations.

Idem

(3) The declaration referred to in subsection (2) must be on a form provided by the Director.

Acknowledg-
ment

(4) The Director, upon receiving material under subsection (2), shall send an acknowledgment thereof to the person who sent it.

Idem

(5) No person, after the 1st day of January, 1991 or such later date as may be prescribed by regulation, shall,

- (a) use an underground tank or cause an underground tank to be used unless receipt of material relating to the tank has been acknowledged by the Director; or
- (b) put gasoline or an associated product into an underground tank unless receipt of material relating to the tank has been acknowledged by the Director.

Supplying
gasoline to
underground
tanks

(6) Every person who supplied gasoline or an associated product to an underground tank at any time in 1987 shall, by the 31st day of October, 1988 or such later date as may be prescribed by regulation, provide the Director with the address of the outlet and the name and address of the person who purchased the product.

Idem

(7) Every person who supplies gasoline or an associated product to an underground tank between the 1st day of January, 1988 and the 30th day of September, 1988 shall, by the 1st day of January, 1989 or such later date as may be pre-

scribed by regulation, provide the Director with the address of the outlet and the name and address of the person who purchased the product.

(8) Subsection (7) does not apply to a person who has supplied the address of the outlet and name and address of the purchaser under subsection (6). Idem

6. This Act comes into force on the day it receives Royal Assent. Commence-
ment

7. The short title of this Act is the *Gasoline Handling Amendment Act, 1988*. Short title

CHAPTER 50

An Act to amend the Public Lands Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 5 of the *Public Lands Act*, being chapter 413 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

5.—(1) The Minister may appoint such officers to carry out and enforce this Act and the regulations as the Minister considers necessary.

Appointment
of officers

(2) Subject to subsection (4), an officer appointed under subsection (1) and any person accompanying that officer and acting under the officer's instructions may, at all reasonable times and upon producing proper identification, enter and inspect any private land for the purposes of this Act.

Entry upon
private land

(3) An officer appointed under section 4 of the *Forest Fires Prevention Act* shall be deemed to be an officer appointed under subsection (1).

Officer
appointed
under
R.S.O. 1980,
c. 173

(4) An officer or any person accompanying the officer and acting under the officer's instructions shall not enter any room or place actually used as a dwelling without the consent of the occupier, except under the authority of a search warrant issued under section 142 of the *Provincial Offences Act*.

Search
warrant

R.S.O. 1980,
c. 400

2.—(1) Subsection 13 (3) of the said Act is amended by striking out "\$500" in the eighth line and inserting in lieu thereof "\$5,000".

(2) Section 13 of the said Act is amended by adding thereto the following subsections:

(3a) An officer who finds a building or structure being erected or an improvement being made without the authority of a permit may order that work on the building, structure or improvement cease until a permit is obtained and any person

Per diem
penalty

continuing the work or causing the work to be continued in contravention of the order is guilty of an offence and on conviction is, in addition to any fine that may be imposed under subsection (3), liable to a fine of not less than \$200 for each day the work is continued in contravention of the order.

Order to
dismantle
and remove
building, etc.

(3b) Upon conviction of any person of an offence under this section, the court, in addition to the imposition of a fine, may order that person to dismantle and remove any building or structure erected or improvement made in contravention of this section within such time as the court orders and, if the person convicted fails to comply with the order, the Minister may cause the building, structure or improvement to be dismantled and removed and any cost or expense incurred thereby is a debt due the Crown and may be recovered by the Minister in a court of competent jurisdiction in an action against the person convicted.

3. The said Act is amended by adding thereto the following section:

Work permit
for work on
public lands

13a.—(1) Except in accordance with a work permit, no person shall,

- (a) carry on or cause to be carried on any logging, mineral exploration or industrial operation on public lands;
- (b) construct or place or cause to be constructed or placed any building, structure or thing on public lands;
- (c) clear any public lands or cause any public lands to be cleared;
- (d) dredge any shore lands or cause any shore lands to be dredged; or
- (e) fill any shore lands or cause any shore lands to be filled.

Conditions
attaching

(2) Every work permit is subject to the conditions set out therein.

Regulations

(3) The Lieutenant Governor in Council may make regulations,

- (a) governing the issuing, renewing and cancelling of work permits;

- (b) governing appeals from a refusal to issue or renew a permit, from a cancellation thereof or in respect of any conditions attaching to a work permit;
- (c) prescribing grounds for refusing to issue or to renew work permits;
- (d) prescribing conditions attaching to work permits and to any exemption from subsection (1);
- (e) prescribing fees payable for work permits or any classes thereof;
- (f) defining "shore lands" for the purpose of clauses (1) (d) and (e); and
- (g) exempting any person or class of person from any provision of subsection (1).

(4) Any regulation may be general or particular in its application. Idem

(5) An officer who finds that there is a contravention of subsection (1) may order that the activity constituting the contravention cease until a work permit authorizing the activity has been obtained and any person continuing the activity or causing the activity to be continued after the order has been made is guilty of an offence and on conviction is, in addition to any fine that may be imposed under subsection (6), liable to a fine of not less than \$200 for each day the activity is continued in contravention of the order. *Per diem penalty*

(6) Every person who contravenes any provision of subsection (1) or of a regulation made under subsection (3) is guilty of an offence and on conviction is liable to a fine of not more than \$5,000. Offence

(7) Upon conviction of a person of an offence under this section, the court, in addition to the imposition of a fine, may order that person to, Order to dismantle and remove, etc.

- (a) cease all logging, mineral exploration or industrial operations carried on;
- (b) dismantle and remove any building, structure or improvement constructed or placed;
- (c) rehabilitate, in accordance with a plan approved by the Minister, any public lands cleared;

- (d) replace dredged material removed; or
- (e) remove any fill placed,

in contravention of subsection (1), within such time as the court orders and, if the person convicted fails to comply with the order, the Minister may cause to be done anything that the person convicted was ordered to do and any cost or expense incurred thereby is a debt due the Crown and may be recovered by the Minister in a court of competent jurisdiction in an action against the person convicted.

4. Section 16 of the said Act is repealed and the following substituted therefor:

Quit claim
letters patent

R.S.O. 1980,
c. 240

16.—(1) Where the Minister is satisfied that the right to bring an action on behalf of Her Majesty against a person for the recovery of land is barred by subsection 3 (1) of the *Limitations Act*, the Minister may direct the issue of quit claim letters patent in respect of the land to that person or to that person's predecessor in possession if the right of recovery was barred against that predecessor upon such conditions as the Minister considers proper.

Retroactive
effect

(2) Where quit claim letters patent are issued under subsection (1) to a person's predecessor in possession, the quit claim letters patent shall specify a date during the period of time that the predecessor had possession and the quit claim letters patent shall,

- (a) relate back to the date so specified; and
- (b) have the same effect as if issued at the date so specified.

5. Section 23 of the said Act is amended by adding thereto the following subsection:

Recovery of
cost and
expense

(4a) Any cost or expense incurred in the sale, disposition or destruction of a building or thing referred to in subsection (4) is a debt due the Crown and may be recovered by the Minister in a court of competent jurisdiction in an action against the person responsible for the construction of the building or the placing of the thing on the land or, in the case of a building that is occupied, the occupier.

6. The said Act is further amended by adding thereto the following section:

23a. The Minister may make an order subject to such conditions as the Minister considers proper,

Restoration
of rights in
forfeited
property, etc.

- (a) restoring to a person the right, title or interest in any improvement, building or thing forfeited under subsection 22 (1); or
- (b) declaring that any improvement, building or thing on public lands possessed or occupied without lawful authority is not the property of the Crown notwithstanding subsection 23 (4).

7. Section 25 of the said Act is repealed and the following substituted therefor:

25.—(1) No person shall deposit or cause to be deposited any material, substance or thing on public lands, whether or not the lands are covered with water or ice, except with the written consent of the Minister or an officer authorized by the Minister.

Unauthorized
filling

(2) The Minister may remove any material, substance or thing deposited contrary to subsection (1), and any cost or expense incurred thereby is a debt due the Crown and may be recovered by the Minister in a court of competent jurisdiction in an action against the person who deposited the material, substance or thing or the person who caused it to be deposited.

Removal of
material, etc.

8. Subsections 36 (2), (3), (4), (5) and (6) of the said Act are repealed and the following substituted therefor:

(2) If a Crown grant of public lands, a release under subsection 55 (5) or a grant under *The Canada Company's Lands Act, 1922* is given, the Minister shall forward the instrument by which the release or grant is given to the proper land registry office.

Crown grants
release,
grants of
minerals
registered in
land registry
offices
1922, c. 24

(3) Upon receipt of an instrument under subsection (2), the land registrar shall, without fee or other charge, register the instrument, note particulars of registration on a copy and forward the copy to the grantee at the address furnished by the Ministry.

Registration

9. The said Act is further amended by adding thereto the following section:

36a.—(1) In this section, "Crown" means Her Majesty the Queen in right of Ontario as represented by the Minister.

Definition

Certificate
that land is
public lands

(2) When the Crown becomes the registered owner of land that has been patented or otherwise disposed of or when land reverts to or vests in the Crown, the Minister may forward to the proper land registry office a certificate stating that the land is deemed to be public lands.

Registration

(3) The land registrar shall, without fee or charge, register every certificate received under subsection (2).

Effect of
registration

(4) Upon registration of a certificate under subsection (3),

R.S.O. 1980,
cc. 230, 445

(a) the *Land Titles Act* or the *Registry Act*, as the case may be, ceases to apply to the land described in the certificate and the land registrar shall note that fact in the appropriate register or abstract index; and

(b) the land described in the certificate may be granted, sold, leased or otherwise dealt with in the same manner as other public lands.

Easements

(5) An easement that is appurtenant to or affects land described in a certificate registered under subsection (3) is not affected by registration of the certificate.

Restrictive
covenants

(6) For the purposes of this section, a restrictive covenant running with land is considered to be an easement.

Notice to
adjoining
land owners

(7) Before registering a certificate under subsection (3), the Minister shall give any person with a registered interest in land adjoining the land described in the certificate sixty days notice of the intention to register the certificate.

Notice from
adjoining
land owners

(8) Any person receiving a notice under subsection (7) who has acquired an interest in the land described in the certificate by possession or by making improvements may give notice of the interest to the Minister before the certificate is filed.

Amending
certificate

(9) If the Minister is satisfied that land described in a certificate is subject to an interest, the Minister shall amend the certificate to reflect the interest.

10. Section 37 of the said Act is amended by adding thereto the following subsection:

Exception

(2) Subsection (1) does not apply when a purchase is made of a right, title or interest in public lands for private use at a public auction or when the purchase is made for private use and the purchaser is selected by public draw.

11. Section 43 of the said Act is repealed and the following substituted therefor:

43. The Minister may enter into agreements for the sale or other disposition of land for agricultural purposes at such prices or rentals and subject to such conditions as the Minister may determine. Agreements
for
agricultural
lands

12. The said Act is further amended by adding thereto the following section:

44a. The Lieutenant Governor in Council may make regulations, Regulations

- (a) prescribing the fee for any type of authority to use or enter upon public lands and facilities;
- (b) regulating the use of or the kinds of activities carried on upon public lands.

13. Section 53 of the said Act, exclusive of the clauses, is repealed and the following substituted therefor:

53. If public land was, before the 29th day of March, 1961, sold or located under the authority of any Act, the Minister may direct the issue of letters patent to the purchaser or locatee or any person claiming under or through the purchaser or locatee, Issue of
letters patent

14. Section 55 of the said Act is amended by adding thereto the following subsection:

(3a) Every provision contained in letters patent granting public lands for a summer resort location that, Idem

- (a) prohibits the cutting of pine timber, except for necessary building or clearing with the written permission of the Minister, and, in default, sets out penalties and exacts prices for cut timber; or
- (b) provides for the manner of disposal of cut timber,

is void.

15. Subsection 58 (5) of the said Act is repealed and the following substituted therefor:

Fee for
certificate

(5) An applicant for a certificate under subsection (4) shall pay the fee prescribed therefor by the regulations.

16. Section 63 of the said Act is repealed and the following substituted therefor:

Release of
road
reservations

63.—(1) If letters patent have been issued for land in respect of which there is a reservation referred to in section 62 and the Minister is of the opinion that the present and future needs of the locality as to roads are adequately provided for, the Minister shall, upon the owner of the affected land applying therefor and paying the fee prescribed therefor by the regulations, make an order releasing the land or any part thereof from the reservation.

Release of
reservation

(2) When the Minister is of the opinion that a reservation in letters patent reserving a right-of-way or a right of access to the shores of rivers, streams and lakes for vessels, boats and persons does not serve a useful purpose and is not required in the public interest and the owner of the land affected applies for a release from the reservation and pays the fee prescribed therefor by the regulations, the Minister shall make an order releasing the land or any part thereof from the reservation.

Power to
determine
reservation

(3) In respect of letters patent reserving or excepting a right-of-way or an allowance along the shore of a lake or river, the Minister may treat the reservation or exception as a reservation referred to in subsection (1) or (2) and issue the order under subsection (1) or (2).

Effect of
order

(4) An order made under this section releases the land described in the order from the reservation referred to in the order and may be registered in the proper land registry office.

17. Subsection 66 (2) of the said Act is repealed and the following substituted therefor:

Fee for
certificate

(2) An applicant for a certificate under subsection (1) shall pay the fee prescribed therefor by the regulations.

18. Section 67 of the said Act is repealed and the following substituted therefor:

Penalty not
otherwise
provided for

67. Except where otherwise provided, every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.

19. This Act comes into force on the day it receives Royal Assent. Commence-
ment

20. The short title of this Act is the *Public Lands Amendment Act, 1988*. Short title

CHAPTER 51

An Act to revise the
Weed Control Act*Assented to June 29th, 1988*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definitions

1. In this Act,

"inspecteur de secteur des mauvaises herbes"	"area weed inspector" means an area weed inspector appointed under section 6;
"inspecteur en chef"	"chief inspector" means the chief inspector appointed under section 2;
"inspecteur de district des mauvaises herbes"	"district weed inspector" means a district weed inspector appointed under section 2;
"inspecteur"	"inspector" means an area weed inspector, district weed inspector or municipal weed inspector;
"mauvaise herbe locale"	"local weed" means a plant designated under section 10 as a local weed;
"ministre"	"Minister" means the Minister of Agriculture and Food;
"inspecteur municipal des mauvaises herbes"	"municipal weed inspector" means a municipal weed inspector appointed under section 8;
"mauvaise herbe nuisible"	"noxious weed" means a plant that is deemed to be a noxious weed under subsection 10 (2) or designated as a noxious weed under clause 24 (a);
"propriétaire"	"owner" means the person shown as the owner of land on the last revised assessment roll of the municipality in which the land is located;
"prescrit"	"prescribed" means prescribed by the regulations;

CHAPITRE 51

Loi portant révision de la Loi sur la destruction des mauvaises herbes

Sanctionnée le 29 juin 1988

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

1 Les définitions qui suivent s'appliquent à la présente loi.	Définitions
«graine de mauvaise herbe» Graine d'une mauvaise herbe nuisible.	«weed seed»
«inspecteur» Inspecteur de secteur des mauvaises herbes, inspecteur de district des mauvaises herbes ou inspecteur municipal des mauvaises herbes.	«inspector»
«inspecteur de district des mauvaises herbes» Inspecteur de district des mauvaises herbes nommé en vertu de l'article 2.	«district weed inspector»
«inspecteur de secteur des mauvaises herbes» Inspecteur de secteur des mauvaises herbes nommé en vertu de l'article 6.	«area weed inspector»
«inspecteur en chef» L'inspecteur en chef nommé en vertu de l'article 2.	«chief inspector»
«inspecteur municipal des mauvaises herbes» Inspecteur municipal des mauvaises herbes nommé en vertu de l'article 8.	«municipal weed inspector»
«mauvaise herbe locale» Plante désignée comme mauvaise herbe locale en vertu de l'article 10.	«local weed»
«mauvaise herbe nuisible» Plante réputée une mauvaise herbe nuisible en vertu du paragraphe 10 (2) ou désignée comme telle en vertu de l'alinéa 24 a).	«noxious weed»
«ministre» Le ministre de l'Agriculture et de l'Alimentation.	«Minister»
«prescrit» Prescrit par les règlements.	«prescribed»
«propriétaire» La personne figurant comme propriétaire d'un terrain au dernier rôle d'évaluation révisé de la municipalité où le terrain est situé.	«owner»

“règlements” “regulations” means the regulations made under this Act;

“graine de mauvaise herbe”

“weed seed” means the seed of a noxious weed.

Chief inspector, district weed inspector

2. The Minister may appoint a chief inspector and a district weed inspector for any district designated in the appointment.

Duty to destroy noxious weeds

3. Every person in possession of land shall destroy all noxious weeds on it.

Persons deemed in possession

4. For the purposes of this Act, the owner of land shall be deemed, unless the contrary is proved, to be the person in possession of it.

Road authorities deemed in possession of roads
R.S.O. 1980, c. 421

5. For the purposes of section 3, every road authority within the meaning of the *Public Transportation and Highway Improvement Act* shall be deemed to be the person in possession of the land under its jurisdiction.

Appointment of inspectors

6.—(1) The council of every county, district municipality and regional municipality shall by by-law appoint one or more persons as area weed inspectors to enforce this Act in the area within the council's jurisdiction and fix their remuneration or other compensation.

Division into areas

(2) The council may divide the county, district municipality or regional municipality into areas and appoint one or more area weed inspectors for each area.

Failure to appoint inspectors

(3) If a council fails to appoint an area weed inspector, the Minister may appoint the area weed inspector and fix his or her remuneration or other compensation.

Minister to notify council of appointment

(4) The Minister shall notify the council of the appointment in writing and the treasurer of the municipality shall pay the remuneration or other compensation so fixed to the area weed inspector.

Clerk to notify chief inspector of appointment

7.—(1) The clerk of each county, district municipality and regional municipality shall, before the 1st day of April in each year, give the chief inspector a written notice indicating the name and address of every area weed inspector and the area for which the appointment is made.

Idem

(2) If the council of a county, district municipality or regional municipality passes a by-law appointing an area weed

«règlements» Les règlements pris en application de la présente loi. «regulations»

2 Le ministre peut nommer un inspecteur en chef et un inspecteur de district des mauvaises herbes pour tout district désigné dans la nomination.

Inspecteur en chef et inspecteur de district des mauvaises herbes

3 La personne en possession d'un terrain détruit toutes les mauvaises herbes nuisibles qui s'y trouvent.

Obligation de détruire les mauvaises herbes nuisibles

4 Pour l'application de la présente loi, le propriétaire d'un terrain est la personne réputée en possession du terrain, sauf preuve du contraire.

Personne réputée en possession du terrain

5 Pour l'application de l'article 3, les offices de la voirie, au sens de la *Loi sur l'aménagement des routes et des transports en commun*, sont réputés les personnes en possession des terrains relevant de leur compétence.

Les offices de la voirie réputés en possession de routes
L.R.O. 1980, chap. 421

6 (1) Le conseil de chaque comté, municipalité de district et municipalité régionale nomme, par voie de règlement municipal, un ou plusieurs inspecteurs de secteur des mauvaises herbes chargés de l'exécution de la présente loi dans le territoire qui relève de la compétence du conseil et fixe leur rémunération ou autre rétribution.

Nomination d'inspecteurs

(2) Le conseil peut diviser le comté, la municipalité de district ou la municipalité régionale en secteurs et nommer un ou plusieurs inspecteurs de secteur des mauvaises herbes pour chaque secteur.

Division en secteurs

(3) Si le conseil ne nomme pas d'inspecteur de secteur des mauvaises herbes, le ministre peut nommer cet inspecteur et fixer sa rémunération ou autre rétribution.

Nomination d'inspecteurs par le ministre

(4) Le ministre signifie par écrit cette nomination au conseil, et le trésorier de la municipalité verse à l'inspecteur de secteur des mauvaises herbes la rémunération ou autre rétribution ainsi fixée.

Signification de la nomination au conseil

7 (1) Le secrétaire du comté, de la municipalité de district ou de la municipalité régionale donne à l'inspecteur en chef, avant le 1^{er} avril de chaque année, un avis écrit indiquant le nom et l'adresse de chaque inspecteur de secteur des mauvaises herbes et le secteur qui relève de sa compétence.

Le secrétaire communique les nominations à l'inspecteur en chef

(2) Si le conseil d'un comté, d'une municipalité de district ou d'une municipalité régionale adopte un règlement municipi-

Idem

inspector on or after the 1st day of April, the clerk shall within seven days after the passing of the by-law give the chief inspector a written notice indicating the name and address of every area weed inspector and the area for which the appointment is made.

Idem

(3) If an area weed inspector resigns or the council revokes the appointment, the clerk of the municipality shall within seven days of the resignation or revocation give the chief inspector written notice of it.

Appointment
of municipal
weed
inspectors

8.—(1) The council of any municipality not referred to in subsection 6 (1) may by by-law appoint one or more persons as municipal weed inspectors to enforce this Act in the area within the council's jurisdiction and fix their remuneration or other compensation.

Co-operation
with area
weed
inspector

(2) Persons who are appointed as municipal weed inspectors shall carry out their duties in co-operation with the area weed inspector.

Joint
jurisdiction

(3) Even though a municipal weed inspector has been appointed by a municipality, the area weed inspector may, when he or she considers it necessary, exercise his or her powers under this Act in the municipality.

Clerk to
notify chief
inspector of
appointment

9.—(1) The clerk of each municipality not referred to in subsection 6 (1) shall, before the 1st day of April in each year, give the chief inspector a written notice indicating the name and address of every municipal weed inspector for the area within its jurisdiction and the area for which the appointment is made.

Idem

(2) If the council of any municipality not referred to in subsection 6 (1) passes a by-law appointing a municipal weed inspector on or after the 1st day of April, the clerk shall within seven days after the passing of the by-law give the chief inspector a written notice indicating the name and address of every municipal weed inspector and the area for which the appointment is made.

Idem

(3) If a municipal weed inspector resigns or the council revokes the appointment, the clerk of the municipality shall within seven days of the resignation or revocation give the chief inspector written notice of it.

pal pour nommer un inspecteur de secteur des mauvaises herbes le 1^{er} avril ou après cette date, le secrétaire donne à l'inspecteur en chef, dans les sept jours suivant l'adoption du règlement municipal, un avis écrit indiquant le nom et l'adresse de chaque inspecteur de secteur des mauvaises herbes et le secteur qui relève de sa compétence.

(3) Si un inspecteur de secteur des mauvaises herbes démissionne ou que le conseil révoque sa nomination, le secrétaire de la municipalité en donne un avis écrit à l'inspecteur en chef dans les sept jours suivant la démission ou la révocation.

8 (1) Le conseil d'une municipalité non visée au paragraphe 6 (1) peut, par voie de règlement municipal, nommer un ou plusieurs inspecteurs municipaux des mauvaises herbes chargés de l'exécution de la présente loi dans le territoire qui relève de la compétence du conseil et fixer leur rémunération ou autre rétribution.

(2) Quiconque est nommé inspecteur municipal des mauvaises herbes exerce ses fonctions en collaboration avec l'inspecteur de secteur des mauvaises herbes.

(3) Même si la municipalité a nommé un inspecteur municipal des mauvaises herbes, l'inspecteur de secteur des mauvaises herbes peut, s'il le juge nécessaire, exercer dans la municipalité les pouvoirs que lui confère la présente loi.

9 (1) Le secrétaire de chaque municipalité non visée au paragraphe 6 (1) donne à l'inspecteur en chef, avant le 1^{er} avril de chaque année, un avis écrit indiquant le nom et l'adresse de chaque inspecteur municipal des mauvaises herbes et le secteur qui relève de sa compétence.

(2) Si le conseil d'une municipalité non visée au paragraphe 6 (1) adopte un règlement municipal pour nommer un inspecteur municipal des mauvaises herbes le 1^{er} avril ou après cette date, le secrétaire donne à l'inspecteur en chef, dans les sept jours suivant l'adoption de ce règlement municipal, un avis écrit indiquant le nom et l'adresse de chaque inspecteur municipal des mauvaises herbes et le secteur qui relève de sa compétence.

(3) Si un inspecteur municipal des mauvaises herbes démissionne ou que le conseil révoque sa nomination, le secrétaire de la municipalité en donne un avis écrit à l'inspecteur en chef dans les sept jours suivant la démission ou la révocation.

Idem

Nomination d'inspecteurs municipaux des mauvaises herbes

Collaboration avec l'inspecteur de secteur des mauvaises herbes

Compétence conjointe

Le secrétaire communique la nomination à l'inspecteur en chef

Idem

Idem

Designation
of local weed
by municipal
by-law

10.—(1) A council of a county, district municipality or regional municipality that has appointed an area weed inspector or a council of a municipality that has appointed a municipal weed inspector may by by-law designate as a local weed any plant that is not a noxious weed.

Effect of
designation

(2) The by-law may apply in respect of the whole or any part of the municipality and, for the purposes of this Act, the plant that is designated shall be deemed to be a noxious weed within the area to which the by-law applies.

Approval of
by-laws

(3) The by-law does not take effect until it is approved by the Minister.

Inspectors in
territory
without
municipal
organization
R.S.O. 1980,
c. 482

11.—(1) Road commissioners appointed under the *Statute Labour Act* in territory without municipal organization shall have the powers of an inspector.

Expenses for
enforcement
collectable
under
R.S.O. 1980,
c. 482

(2) This Act applies in the case of territory without municipal organization in the same manner as in the case of a municipality, except that any sums payable by a person liable for expenses incurred or remuneration paid in enforcing this Act are collectable in the manner provided in the *Statute Labour Act* with respect to the enforcement of the payment of charges for statute labour or its commutation.

Powers of
inspectors

12.—(1) For the purpose of searching for noxious weeds or weed seeds, an inspector may at any time between sunrise and sunset enter upon any land and buildings, except a dwelling house, in the area within his or her jurisdiction and inspect the land, buildings and any implements, machinery, vehicles and crops or other plants.

Identification
to be
provided

(2) An inspector shall, upon request, show proper identification to the owner or occupier of the land or building being inspected.

Application
for warrant

(3) If an inspector is denied entry or access to buildings or land or is obstructed while carrying out an inspection, the inspector may apply to a justice of the peace for a warrant.

Issuing of
warrant

(4) If a justice of the peace is satisfied on evidence upon oath that it is necessary for an inspector to enter any buildings or land for the purpose of this Act, the justice of the peace may issue a warrant authorizing an inspector to enter the buildings or land specified in the warrant, together with such police officers as the inspector calls upon to assist him or her.

10 (1) Le conseil d'un comté, d'une municipalité de district ou d'une municipalité régionale qui a nommé un inspecteur de secteur des mauvaises herbes ou le conseil d'une municipalité qui a nommé un inspecteur municipal des mauvaises herbes peut, par voie de règlement municipal, désigner une plante qui n'est pas une mauvaise herbe nuisible comme mauvaise herbe locale.

Désignation
d'une mau-
vaise herbe
locale par
règlement
municipal

(2) Le règlement municipal peut s'appliquer à la totalité ou à une partie du territoire de la municipalité. Pour l'application de la présente loi, la plante désignée comme mauvaise herbe locale est réputée une mauvaise herbe nuisible dans le secteur auquel s'applique le règlement municipal.

Portée de la
désignation

(3) Le règlement municipal n'entre en vigueur qu'après son approbation par le ministre.

Approbation
des
règlements
municipaux

11 (1) Les administrateurs de la voirie nommés en vertu de la *Loi sur les corvées légales* dans des territoires non érigés en municipalité possèdent les mêmes pouvoirs qu'un inspecteur.

Inspecteurs
dans les terri-
toires non
érigés en
municipalité
L.R.O. 1980,
chap. 482

(2) La présente loi s'applique à l'égard d'un territoire non érigé en municipalité de la même façon qu'à l'égard d'une municipalité. Toutefois, les sommes dues par la personne redevable des frais engagés ou de la rémunération payée pour l'exécution de la présente loi sont recouvrables de la façon prévue dans la *Loi sur les corvées légales* en ce qui concerne l'exécution du paiement des frais de corvée légale ou le rachat de ces frais.

Dépenses
d'exécution
recouvrables
en vertu du
chap. 482 des
L.R.O. de
1980

12 (1) Entre le lever et le coucher du soleil, l'inspecteur peut pénétrer à tout moment sur un terrain ou dans un bâtiment, sauf s'il s'agit d'un logement, situé dans le secteur qui relève de sa compétence et inspecter le terrain, le bâtiment et tout outillage, machine, véhicule et récolte ou autres plantes pour rechercher des mauvaises herbes nuisibles ou des graines de mauvaises herbes.

Pouvoirs de
l'inspecteur

(2) Sur demande, l'inspecteur montre ses pièces d'identité au propriétaire ou à l'occupant du terrain ou du bâtiment qui fait l'objet de l'inspection.

Pièces
d'identité

(3) L'inspecteur qui se voit refuser l'entrée ou l'accès d'un bâtiment ou d'un terrain ou qui est entravé pendant qu'il effectue une inspection peut demander un mandat à un juge de paix.

Demande de
mandat

(4) Le juge de paix qui est convaincu, sur la foi de témoignages recueillis sous serment, qu'il est nécessaire qu'un ins-

Mandat

Application
without
notice

(5) A justice of the peace may receive and consider an application for a warrant without notice to the owner or occupier of the buildings or land.

Order for
destruction of
weeds

13.—(1) An inspector who finds noxious weeds or weed seeds on land in the area within his or her jurisdiction may order the person in possession of the land to destroy the noxious weeds or weed seeds.

Time for
destruction of
weeds

(2) The order shall be in the prescribed form and shall specify a time of at least seven days, excluding Saturdays and holidays, from the date of the service of the order within which the noxious weeds or weed seeds shall be destroyed.

Service of
order

(3) The order shall be served upon every person named in it,

(a) by personal service; or

(b) by mailing a copy of the order by prepaid first class mail, by registered mail or by certified mail to the last address for service provided by the person or, if no such address has been provided, to the person's address last noted on the tax assessment roll or, if none, to the person's last known address.

Effective
date of
service

(4) Service under clause (3) (b) is effective on the seventh day after the order is mailed.

Service on
owner and
person in
possession

(5) If there is evidence that the person in possession of land is not its owner, the order shall be served on both the owner and the person in possession.

Appeal to
chief
inspector

(6) A person who is served with an order under subsection (5) may, within seven days after service, appeal the order or any requirement contained in it to the chief inspector, giving reasons for the appeal.

Written
appeal

(7) The appeal and reasons shall be in writing.

pecteur pénètre dans un bâtiment ou sur un terrain pour l'application de la présente loi peut décerner un mandat qui autorise l'inspecteur, ainsi que les agents de police auxquels celui-ci demande de l'aider, à pénétrer dans le bâtiment ou sur le terrain précisé dans le mandat.

(5) Le juge de paix peut recevoir et étudier une demande de mandat sans préavis au propriétaire ou à l'occupant du bâtiment ou du terrain.

Demande sans préavis

13 (1) L'inspecteur qui trouve, sur un terrain situé dans le secteur qui relève de sa compétence, des mauvaises herbes nuisibles ou des graines de mauvaises herbes, peut ordonner à la personne en possession du terrain de les détruire.

Ordre de destruction de mauvaises herbes

(2) L'ordre est rédigé selon la formule prescrite et précise le délai dans lequel les mauvaises herbes nuisibles ou les graines de mauvaises herbes doivent être détruites. Ce délai est d'au moins sept jours, à l'exclusion des samedis et jours fériés, à partir de la date de signification de l'ordre.

Délai accordé pour la destruction de mauvaises herbes

(3) L'ordre est signifié à toute personne dont le nom y figure de l'une des façons suivantes :

Signification de l'ordre

- a) à personne;
- b) par l'envoi d'un exemplaire de l'ordre par courrier affranchi de première classe, par courrier recommandé ou par courrier certifié au dernier domicile élu de cette personne ou, si cette adresse n'a pas été fournie, à la dernière adresse figurant au rôle d'évaluation des impôts pour cette personne ou, à défaut, à sa dernière adresse connue.

(4) La signification aux termes de l'alinéa (3) b) est valide le septième jour suivant la date de mise à la poste de l'ordre.

Date de validité de la signification

(5) S'il existe des preuves que la personne en possession du terrain n'en est pas le propriétaire, l'ordre est signifié au propriétaire et à la personne en possession du terrain.

Signification au propriétaire et à la personne en possession du terrain

(6) La personne qui reçoit signification d'un ordre aux termes du paragraphe (5) peut, dans les sept jours de la signification, interjeter appel de l'ordre ou d'une disposition de celui-ci devant l'inspecteur en chef en motivant l'appel.

Appel devant l'inspecteur en chef

(7) L'appel est interjeté par écrit. Les motifs sont également donnés par écrit.

Appel écrit

- Parties (8) The appellant, the inspector who made the order and such other persons as the chief inspector may specify are parties to the appeal.
- Examination of land (9) The chief inspector may, in the presence of the parties or after affording them an opportunity to be present, view and examine land in relation to which the order appealed from is made and may base his or her decision upon the evidence adduced by the parties and on the view and examination.
- Decision of chief inspector (10) After hearing an appeal under this section, the chief inspector may confirm or revoke the order or may make a new order in its place.
- Service of order (11) The chief inspector's order shall be served in accordance with subsections (3), (4) and (5).
- Appeal (12) The chief inspector's order may be appealed to the Divisional Court within thirty days of its making under subsection (10).
- Obstruction of inspectors **14.** No person shall hinder or obstruct an inspector in the course of his or her duties, refuse to furnish the inspector with information or furnish him or her with false information.
- Failure to comply with order **15.—**(1) If an order served under section 13 is not complied with, the inspector may cause the noxious weeds or weed seeds to be destroyed in the prescribed manner.
- Expenses of inspectors (2) Inspectors shall keep a record of the expenses incurred under subsection (1) with respect to each parcel of land.
- Statement of expenses to be served on owner and person in possession of land (3) The expenses shall be submitted to the clerk of the municipality who shall have a statement of the expenses and a notice requesting payment served on the person in possession of the land and on its owner.
- Service of statement and notice (4) The statement and notice shall be served in the same manner as an order under section 13.
- Failure to pay (5) If the person upon whom a statement and notice were served fails to pay the amount set out in the statement within fifteen days after the service of the notice, the clerk shall present the statement to the council of the municipality in which the land is located, and the council shall order the amount to be paid out of the general funds of the municipality.

- (8) L'appelant, l'inspecteur qui a donné l'ordre et les autres personnes que l'inspecteur en chef peut désigner sont parties à l'appel.

Parties
- (9) L'inspecteur en chef peut, en présence des parties ou après leur avoir donné la possibilité d'être présentes, inspecter le terrain visé par l'ordre qui fait l'objet de l'appel et rendre une décision fondée sur les preuves fournies par les parties et sur cette inspection.

Examen du terrain
- (10) Après avoir entendu l'appel interjeté en vertu du présent article, l'inspecteur en chef peut confirmer ou révoquer l'ordre, ou le remplacer par un nouvel ordre.

Décision de l'inspecteur en chef
- (11) L'ordre de l'inspecteur en chef est signifié conformément aux paragraphes (3), (4) et (5).

Signification de l'ordre
- (12) Il peut être interjeté appel de la décision de l'inspecteur en chef devant la Cour divisionnaire dans les trente jours suivant celui où l'ordre a été donné en vertu du paragraphe (10).

Appel
- 14 Nul ne doit gêner ni entraver un inspecteur dans l'exercice de ses fonctions, refuser de lui fournir des renseignements ou lui fournir de faux renseignements.

Entrave à l'inspection
- 15 (1) Si un ordre signifié aux termes de l'article 13 n'est pas exécuté, l'inspecteur peut faire détruire les mauvaises herbes nuisibles ou les graines de mauvaises herbes de la façon prescrite.

Défaut d'exécution de l'ordre
- (2) Les inspecteurs tiennent un état des dépenses qu'ils engagent en vertu du paragraphe (1) à l'égard de chaque parcelle.

Dépenses engagées par l'inspecteur
- (3) L'état des dépenses est soumis au secrétaire de la municipalité qui fait signifier à la personne en possession du terrain et au propriétaire de celui-ci un relevé des dépenses accompagné d'une demande de paiement.

Signification du relevé des dépenses au propriétaire et à la personne en possession du terrain
- (4) Le relevé des dépenses et la demande de paiement sont signifiés de la même façon que l'ordre prévu à l'article 13.

Mode de signification du relevé
- (5) Si la personne à qui sont signifiés le relevé et la demande ne paie pas le montant figurant sur le relevé dans un délai de quinze jours après la signification de la demande, le secrétaire présente le relevé des dépenses au conseil de la municipalité où est situé le terrain. Le conseil ordonne de prélever le montant du remboursement sur les fonds d'administration de la municipalité.

Défaut de paiement

Collection of
costs

(6) The amount paid by the municipality shall be deemed to be taxes and shall be added to the collector's roll against the respective parcels concerned and collected in the same manner and with the same priorities as municipal taxes.

Destruction
of weeds

16.—(1) Despite section 13, the council of any city, town, village or township may direct any of its municipal weed inspectors or, if there are none, the area weed inspectors to cause noxious weeds or weed seeds to be destroyed in the prescribed manner on all or part of any lot shown on a registered plan of subdivision and on lots not exceeding 10 acres that are not shown on such a plan.

Notice
requirement

(2) Before noxious weeds or weed seeds are destroyed, the council shall publish notice of its intent to have the noxious weeds or weed seeds destroyed in a newspaper having general circulation in the municipality.

Report of
inspector

(3) The inspector shall report to the clerk of the municipality the amount of the expenses incurred under this section with respect to each parcel of land.

Statement of
expenses to
be served on
owner and
person in
possession of
land

(4) The clerk of the municipality shall have a statement of the expenses and a notice requesting payment served on the person in possession of the land and on its owner.

Service of
statement
and notice

(5) The statement and notice shall be served in the same manner as an order under section 13.

Failure to
pay

(6) If the person upon whom a statement and notice were served fails to pay the amount set out in the statement within fifteen days after the service of the notice, the clerk shall present the statement to the council of the municipality in which the land is located, and the council shall order the amount to be paid out of the general funds of the municipality.

Collection of
costs

(7) The amount paid by the municipality shall be deemed to be taxes and shall be added to the collector's roll against the respective parcels concerned and collected in the same manner and with the same priorities as municipal taxes.

Application
for refund,
etc.

17. A person may apply to the council for the cancellation, reduction or refund of an amount levied in the year with respect to orders for weed control and is entitled to make an appeal to the Assessment Review Board in the same manner as for taxes under section 496 of the *Municipal Act*.

R.S.O. 1980,
c. 302

(6) Le montant payé par la municipalité est réputé constituer un impôt et est ajouté au rôle de recouvrement des impôts municipaux relativement aux parcelles respectives concernées. Son recouvrement s'effectue de la même façon et selon les mêmes priorités que celui des impôts municipaux.

Recouvrement
des frais

16 (1) Malgré l'article 13, le conseil d'une cité, d'une ville, d'un village ou d'un canton, peut ordonner à un de ses inspecteurs municipaux des mauvaises herbes ou, à défaut de ceux-ci, aux inspecteurs de secteur des mauvaises herbes, de faire détruire des mauvaises herbes nuisibles ou des graines de mauvaises herbes de la façon prescrite dans tout ou partie d'un lot qui figure sur un plan enregistré de lotissement, ainsi que dans des lots dont la superficie ne dépasse pas 10 acres et qui ne figurent pas sur un tel plan.

Destruction
des mauvaises
herbes

(2) Avant que des mauvaises herbes nuisibles ou des graines de mauvaises herbes ne soient détruites, le conseil publie un avis de son intention de les faire détruire dans un journal généralement lu dans la municipalité.

Publication
d'un avis

(3) L'inspecteur présente au secrétaire de la municipalité un rapport sur les dépenses engagées en vertu du présent article à l'égard de chaque parcelle.

Rapport de
l'inspecteur

(4) Le secrétaire de la municipalité fait signifier à la personne en possession du terrain et au propriétaire de celui-ci un relevé des dépenses accompagné d'une demande de paiement.

Signification
du relevé des
dépenses au
propriétaire et
à la personne
en possession
du terrain

(5) Le relevé des dépenses et la demande de paiement sont signifiés de la même façon que l'ordre prévu à l'article 13.

Mode de
signification

(6) Si la personne à qui sont signifiés le relevé et la demande ne paie pas le montant figurant sur le relevé dans un délai de quinze jours après la signification de la demande, le secrétaire présente le relevé des dépenses au conseil de la municipalité où est situé le terrain. Le conseil ordonne de prélever le montant du remboursement sur les fonds d'administration de la municipalité.

Défaut de
paiement

(7) Le montant payé par la municipalité est réputé constituer un impôt et est ajouté au rôle de recouvrement des impôts municipaux relativement aux parcelles respectives concernées. Son recouvrement s'effectue de la même façon et selon les mêmes priorités que celui des impôts municipaux.

Recouvrement
des frais

17 Quiconque peut présenter au conseil une demande d'annulation, de réduction ou de remboursement d'un impôt levé au cours de l'année relativement à des ordres de destruc-

Demande de
rembourse-
ment

Notice
requiring
noxious
weeds and
weed seeds
to be
destroyed

18.—(1) A district weed inspector who finds noxious weeds or weed seeds on any land owned by or under the control of a municipality within his or her district may deliver or send by prepaid first class mail to the clerk of the municipality a notice requiring the noxious weeds or weed seeds to be destroyed before a date specified in the notice.

Failure to
comply with
notice

(2) If the notice is not complied with, the district weed inspector may cause the noxious weeds or weed seeds to be destroyed in the prescribed manner.

Recovery of
expenses

(3) The expenses incurred by the district weed inspector under subsection (2) shall be paid by the municipality concerned and are recoverable in any court of competent jurisdiction by the Minister in the name of Her Majesty as a debt owed to the Crown.

Certificate
proof of
authority

(4) In any court action, the certificate purporting to be signed by the Minister as to the amount of the expenses is conclusive proof of the amount without proof of the Minister's authority or signature.

Prohibition

19. No person shall deposit or permit to be deposited any noxious weeds or weed seeds in any place where they might grow or spread.

Agricultural
machines

20. If the moving of a machine used for agricultural purposes is likely to cause noxious weeds or weed seeds to grow or spread, no person shall move the machine or cause it to be moved without first removing from it all seeds and other residue.

Grain
elevators,
etc.

21. A person in charge of a grain elevator, seed-cleaning plant or other grain-cleaning or grain-grinding plant shall dispose of all refuse containing weed seeds in a manner that will prevent them from growing or spreading.

Exception

22. Sections 3, 13, 16 and 18 do not apply to noxious weeds or weed seeds that are far enough away from any land used for agricultural or horticultural purposes that they do not interfere with that use.

tion des mauvaises herbes, et a le droit d'interjeter appel devant la Commission de révision de l'évaluation foncière, de la même façon que pour les impôts aux termes de l'article 496 de la *Loi sur les municipalités*.

L.R.O. 1980,
chap. 302

18 (1) L'inspecteur de district des mauvaises herbes qui trouve des mauvaises herbes nuisibles ou des graines de mauvaises herbes sur un terrain dont une municipalité située dans le district soumis à sa compétence est propriétaire ou a le contrôle peut remettre ou envoyer par courrier affranchi de première classe au secrétaire de la municipalité un avis exigeant leur destruction avant la date qu'il précise.

Avis exigeant
la destruction
de mauvaises
herbes et de
graines de
mauvaises
herbes

(2) Si l'avis n'est pas exécuté, l'inspecteur de district des mauvaises herbes peut faire détruire les mauvaises herbes nuisibles ou les graines de mauvaises herbes de la façon prescrite.

Défaut
d'exécution
de l'avis

(3) La municipalité concernée paye les dépenses engagées par l'inspecteur de district des mauvaises herbes aux termes du paragraphe (2). Ces sommes sont recouvrables par le ministre au nom de Sa Majesté devant tout tribunal compétent en tant que créance de la Couronne.

Recouvrement
des dépenses

(4) Dans toute action en justice, l'attestation du montant des dépenses qui se présente comme étant signée par le ministre en constitue une preuve concluante sans qu'il soit nécessaire de prouver l'authenticité de la signature du ministre ou d'établir son autorité.

Attestation
en tant que
preuve

19 Nul ne doit déposer ni permettre de déposer des mauvaises herbes nuisibles ou des graines de mauvaises herbes dans un lieu où elles pourraient pousser ou se propager.

Interdiction

20 Si le déplacement d'une machine utilisée à des fins agricoles risque d'entraîner la pousse ou la propagation de mauvaises herbes nuisibles ou de graines de mauvaises herbes, nul ne doit déplacer ni faire déplacer une telle machine sans l'avoir au préalable débarrassée de toutes graines et autre résidu.

Machines
agricoles

21 Quiconque est responsable d'un élévateur à grain, d'une installation de nettoyage des céréales ou d'une autre installation destinée à nettoyer ou à moudre des céréales élimine tout déchet contenant des graines de mauvaises herbes d'une façon qui les empêche de pousser ou de se propager.

Élévateurs à
grain, etc.

22 Les articles 3, 13, 16 et 18 ne s'appliquent pas aux mauvaises herbes nuisibles ni aux graines de mauvaises herbes qui se trouvent suffisamment loin de tout terrain exploité à

Exception

Offence

23.—(1) A person who contravenes this Act or the regulations, or an order made under this Act, is guilty of an offence and on conviction is liable for a first offence to a fine of not less than \$500 and not more than \$1,000 and for each subsequent offence to a fine of not less than \$1,000 and not more than \$2,000.

Idem,
particular
circumstances

(2) Subsection (1) applies to a person who is in contravention of section 3 or of an order made under subsection 13 (1) even though an inspector has caused or may cause the noxious weeds and weed seeds to be destroyed.

Regulations

24.—(1) The Lieutenant Governor in Council may make regulations,

- (a) designating plants as noxious weeds;
- (b) prescribing the procedures for destroying noxious weeds and weed seeds;
- (c) prescribing the conditions under which noxious weeds and weed seeds may be destroyed under sections 15, 16 and 18;
- (d) respecting the transportation of farm produce, gravel or any other substance that is infested with noxious weeds or weed seeds;
- (e) prescribing measures that shall be taken to prevent the establishment of any noxious weed in any locality;
- (f) providing for the reimbursement of counties, district municipalities, regional municipalities and municipalities in territorial districts by the Province of Ontario for any part of the moneys expended under this Act and prescribing limits on the amounts reimbursed;
- (g) prescribing measures that shall be taken to prevent the use of bird feed that is infested with weed seeds;

des fins agricoles ou horticoles pour ne pas nuire à une telle exploitation.

23 (1) Quiconque contrevient à la présente loi ou aux règlements, ou à un ordre donné aux termes de la présente loi, est coupable d'une infraction et passible, sur déclaration de culpabilité, d'une amende d'au moins 500 \$ et d'au plus 1 000 \$ à l'égard d'une première infraction, et d'une amende d'au moins 1 000 \$ et d'au plus 2 000 \$ à l'égard de chaque infraction subséquente.

Infraction

(2) Le paragraphe (1) s'applique à la personne qui contrevient à l'article 3 ou à un ordre donné aux termes du paragraphe 13 (1) même si un inspecteur a fait détruire ou peut faire détruire les mauvaises herbes nuisibles et les graines de mauvaises herbes.

Idem,
circonstances
particulières

24 (1) Le lieutenant-gouverneur en conseil peut, par règlement :

Règlements

- a) désigner des plantes comme mauvaises herbes nuisibles;
- b) prescrire la marche à suivre pour détruire les mauvaises herbes nuisibles et les graines de mauvaises herbes;
- c) prescrire les conditions de destruction des mauvaises herbes nuisibles et des graines de mauvaises herbes aux termes des articles 15, 16 et 18;
- d) traiter du transport des produits agricoles, du gravier et d'autres substances infestés de mauvaises herbes nuisibles ou de graines de mauvaises herbes;
- e) prescrire les mesures à prendre pour empêcher l'implantation de mauvaises herbes nuisibles dans une localité;
- f) prévoir le remboursement par la province de l'Ontario aux comtés, aux municipalités de district, aux municipalités régionales et aux municipalités se trouvant dans des districts territoriaux, de toute somme déboursée aux termes de la présente loi, et prescrire des plafonds relativement aux montants remboursés;
- g) prescrire les mesures à prendre pour empêcher l'utilisation de nourriture pour oiseaux infestée de graines de mauvaises herbes;

(h) prescribing forms and providing for their use.

Idem (2) A regulation may be general or specific in its application.

Repeal **25.** The *Weed Control Act*, being chapter 530 of the Revised Statutes of Ontario, 1980, is repealed.

Commence-
ment **26.** This Act comes into force on the day it receives Royal Assent.

Short title **27.** The short title of this Act is the *Weed Control Act*, 1988.

- h) prescrire des formules et prévoir les modalités de leur emploi.

(2) Un règlement peut avoir une portée générale ou particulière. Idem

25 La *Loi sur la destruction des mauvaises herbes*, qui constitue le chapitre 530 des Lois refondues de l'Ontario de 1980, est abrogée. Abrogation

26 La présente loi entre en vigueur le jour où elle reçoit la sanction royale. Entrée en vigueur

27 Le titre abrégé de la présente loi est *Loi de 1988 sur la destruction des mauvaises herbes*. Titre abrégé

CHAPTER 52

An Act respecting Metropolitan Toronto Convention Centre Corporation

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Board” means the Board of Directors of the Corporation;

“Centre” means the Metro Toronto Convention Centre;

“Corporation” means Metropolitan Toronto Convention Centre Corporation;

“Minister” means the Minister of Tourism and Recreation or such other member of the Executive Council as the Lieutenant Governor in Council designates to administer this Act.

2.—(1) Metropolitan Toronto Convention Centre Corporation, a corporation incorporated under the *Corporations Act* by letters patent issued on the 4th day of February, 1981, is hereby continued as a corporation without share capital.

Corporation
continued

(2) The *Corporations Act* does not apply to the Corporation.

R.S.O. 1980,
c. 95 does
not apply

(3) The Corporation shall consist of not fewer than seven and not more than thirteen members of whom,

Composition

(a) not more than ten shall be appointed by the Lieutenant Governor in Council; and

(b) not more than three shall be appointed by resolution of the council of The Municipality of Metropolitan Toronto.

Term of office	(4) Each member of the Corporation shall hold office for a term not exceeding three years and until his or her successor is appointed and is eligible for reappointment.
Board	3. —(1) The members of the Corporation form and are its Board of Directors.
Chairperson, president	(2) The Lieutenant Governor in Council shall designate one of the directors as chairperson of the Board and another of the directors as president and chief executive officer of the Corporation.
Remuneration and expenses	(3) The Corporation may pay its directors such remuneration and expenses as are fixed by the Lieutenant Governor in Council.
Exception, remuneration	(4) Despite subsection (3), the Corporation shall not pay remuneration to a director in his or her capacity as a director if he or she is, <ul style="list-style-type: none">(a) an employee of Her Majesty in right of Ontario or of an agency of Her Majesty in right of Ontario; or(b) an employee, as defined in paragraph 46 of section 208 of the <i>Municipal Act</i>, of a municipality, including a district, metropolitan or regional municipality, or of a local board as defined in the said paragraph 46.
Disclosure: conflict of interest 1982, c. 4	(5) Section 132 of the <i>Business Corporations Act</i> , 1982 applies with necessary modifications to members of the Board.
Chairperson to preside	4. —(1) The chairperson shall preside at all meetings of the Board and, in the chairperson's absence, one of the directors present at the meeting who is chosen to act by the directors present at the meeting has all the powers and duties of the chairperson.
Quorum	(2) A majority of the directors constitutes a quorum for the transaction of business at meetings of the Board.
By-laws	(3) The Board may pass by-laws regulating its proceedings, specifying the powers and duties of the officers and employees of the Corporation, and generally for the conduct and management of the affairs of the Corporation.
Executive committee	(4) The Board may appoint from its membership a committee of directors and delegate to such committee any of the powers of the Board.

(5) A by-law or resolution consented to by the signatures of all of the directors or all of the members of a committee established under subsection (4) is as valid and effective as if it had been passed at a meeting of the Board or committee, respectively, held for that purpose.

Approval of
by-law or
resolution

5. The Board shall manage and supervise the affairs of the Corporation.

Duties of
Board

6.—(1) The objects of the Corporation are to operate, maintain and manage an international class convention centre facility in The Municipality of Metropolitan Toronto to be known as the Metro Toronto Convention Centre in a manner that will promote and develop tourism and industry in Ontario.

Objects

(2) The Corporation, for the objects set out in subsection (1), has power,

Powers

- (a) to make agreements with persons with respect to the establishment or operation by them of any works or services in connection with the construction, operation and maintenance of the Centre;
- (b) to operate or grant leases for the operation of retail shops, restaurants, theatres, parking facilities, exhibition facilities, and any other facilities or conveniences incidental to or necessary to the operation of the Centre;
- (c) to buy, hold, own, hire, maintain, control, take, lease, sell, assign, exchange, transfer, manage, improve, develop or dispose of any real and personal property and any right or privilege that, in the opinion of the Board, is necessary or convenient for the purposes of the Corporation;
- (d) unless an order has been made under subsection 11 (2), temporarily to invest any surplus moneys not immediately required for the objects of the Corporation in,
 - (i) securities issued by or guaranteed as to principal and interest by the Province of Ontario, any other province of Canada, or Canada,
 - (ii) guaranteed investment certificates of any trust corporation that is registered under the *Loan and Trust Corporations Act, 1987*,

1987, c. 33

1980-81,
c. 40 (Can.)

- (iii) deposit receipts, deposit notes, certificates of deposits, acceptances and other similar instruments issued or endorsed by a bank named in Schedule A or B to the *Bank Act* (Canada) or with the Province of Ontario Savings Office, and

R.S.O. 1980,
c. 102

- (iv) term deposits accepted by a credit union as defined in the *Credit Unions and Caisses Populaires Act*;

- (e) with the approval of the Lieutenant Governor in Council,

- (i) to borrow money upon the credit of the Corporation,

- (ii) to issue, sell or pledge securities of the Corporation, and

- (iii) to charge, mortgage or pledge all or any currently owned or subsequently acquired real or personal property of the Corporation, including book debts, rights, powers, franchises and undertakings, to secure any debt obligations or any money borrowed or other debt or liability of the Corporation;

- (f) to enter into agreements with The Municipality of Metropolitan Toronto for the use by the Corporation of services, equipment and facilities of The Municipality of Metropolitan Toronto; and

- (g) to do anything incidental to the attainment of the objects of the Corporation.

Head office

7.—(1) The Corporation's head office shall be in The Municipality of Metropolitan Toronto.

Seal

(2) The Corporation shall have a seal which shall be adopted by a resolution or by-law of the Board.

Staff

8.—(1) The Corporation may engage such persons as are considered necessary for the proper conduct of the affairs of the Corporation.

Use of
Government
facilities

(2) The Corporation may make use of such services and facilities, including the services of a public servant on secondment, as are provided to it by a ministry, board, commission or agency of the Government of Ontario.

9. No action or other proceeding for damages shall be instituted against a director or officer of the Corporation or a former director or officer of the Corporation for any act done in good faith in the execution or intended execution of the person's duty or for any alleged neglect or default in the execution in good faith of the person's duty.

Protection
from
personal
liability

10.—(1) The real property vested in or leased to the Corporation is exempt from taxation for municipal and school purposes so long as it is actually used and occupied for the purposes of the Corporation.

Tax
exemption

(2) For the purposes of subsection 219 (8) of the *Municipality of Metropolitan Toronto Act*, the exemption of real property from taxation granted under subsection (1) is deemed to be an exemption provided under section 3 of the *Assessment Act*.

Idem
R.S.O. 1980,
cc. 314, 31

11.—(1) The income, revenues and profits earned by the Corporation shall be applied only to the furtherance of the objects of the Corporation.

Earnings of
Corporation

(2) Any surplus moneys of the Corporation shall, on the order of the Lieutenant Governor in Council, be paid to the Treasurer of Ontario and shall form part of the Consolidated Revenue Fund.

Surplus
money

(3) The Minister may, out of the moneys appropriated therefor by the Legislature, make grants or loans to the Corporation.

Grants or
loans

12.—(1) The fiscal year of the Corporation begins on the 1st day of April in each year and ends on the 31st day of March in the following year.

Fiscal year

(2) The Board shall appoint one or more auditors licensed under the *Public Accountancy Act* to audit the accounts and transactions of the Corporation annually.

Audit
R.S.O. 1980,
c. 405

(3) The audit of the accounts of the Corporation is subject to the review of the Provincial Auditor.

Review by
Provincial
Auditor

13. The Corporation shall, after the close of each fiscal year, deliver to the Minister an annual report upon the affairs of the Corporation including the audited financial statements signed by the chairperson of the Board and one other director, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next session.

Annual
report

Crown
agency
R.S.O. 1980,
c. 106
Grant
payable in
1988

14. The Corporation is a Crown agency within the meaning of the *Crown Agency Act*.

15.—(1) Where the Minister is of the opinion that property taxes in the City of Toronto and The Municipality of Metropolitan Toronto may be increased as a result of,

(a) the operation of subsection 16 (2); and

(b) the requirement that outstanding taxes be struck off the roll in accordance with section 495 of the *Municipal Act*,

R.S.O. 1980,
c. 302

the Minister may, by order, make a grant to The Corporation of the City of Toronto and The Municipality of Metropolitan Toronto, in the year 1988, under such terms and conditions as the Minister considers necessary in the circumstances.

Funds for
grant

(2) The money required to pay the grant under subsection (1) shall be paid out of the Consolidated Revenue Fund.

Commence-
ment

16.—(1) This Act, except section 10, comes into force on a day to be named by proclamation of the Lieutenant Governor.

Idem

(2) Section 10 shall be deemed to have come into force on the 1st day of October, 1984.

Short title

17. The short title of this Act is the *Metropolitan Toronto Convention Centre Corporation Act, 1988*.

CHAPTER 53

**An Act respecting
Ottawa Congress Centre**

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definitions

1. In this Act,

"conseil"

"Board" means the Board of Directors of the Centre;

"Centre"

"Centre" means Ottawa Congress Centre;

ministre

"Minister" means the Minister of Tourism and Recreation or such other member of the Executive Council as the Lieutenant Governor in Council designates to administer this Act.

Corporation
established

2.—(1) There is hereby incorporated a corporation without share capital under the name "Ottawa Congress Centre".

R.S.O. 1980
c. 95 does
not apply

(2) The *Corporations Act* does not apply to the Centre.

Composition

(3) The Centre shall consist of not fewer than seven and not more than twelve members of whom,

(a) not more than nine shall be appointed by the Lieutenant Governor in Council; and

(b) not more than three shall be appointed by resolution of the council of The Regional Municipality of Ottawa-Carleton.

Vacancies

(4) The Lieutenant Governor in Council may fill any vacancy among the members of the Centre.

Term of
office

(5) Each member of the Centre shall hold office for a term not exceeding three years and until his or her successor is appointed and is eligible for reappointment.

CHAPITRE 53

Loi concernant le Centre des congrès d'Ottawa

Sanctionnée le 29 juin 1988

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

1 Les définitions qui suivent s'appliquent à la présente loi. Définitions

«Centre» Le Centre des congrès d'Ottawa. «Centre»

«conseil» Le conseil d'administration du Centre. «Board»

«ministre» Le ministre du Tourisme et des Loisirs ou l'autre membre du Conseil des ministres que le lieutenant-gouverneur en conseil charge de l'application de la présente loi. «Minister»

2 (1) Est créée la personne morale sans capital-actions nommée «Centre des congrès d'Ottawa». Création d'une personne morale

(2) La *Loi sur les compagnies et associations* ne s'applique pas au Centre. Non-application du chap. 95 des L.R.O. de 1980

(3) Le Centre se compose d'au moins sept et d'au plus douze membres, dont : Composition

a) pas plus de neuf sont nommés par le lieutenant-gouverneur en conseil;

b) pas plus de trois sont nommés par résolution du conseil de la municipalité régionale d'Ottawa-Carleton.

(4) Le lieutenant-gouverneur en conseil peut combler la vacance survenue au sein des membres du Centre. Vacance d'un poste

(5) Les membres du Centre sont en fonction pour une durée maximale de trois ans et jusqu'à la nomination de leur successeur. Leur mandat est renouvelable. Mandat

- Board **3.—**(1) The members of the Centre form and are its Board of Directors.
- Chairperson (2) The Lieutenant Governor in Council shall designate one of the directors as chairperson of the Board.
- Remuneration and expenses (3) The Centre may pay its directors such remuneration and expenses as are fixed by the Lieutenant Governor in Council.
- Exception, remuneration (4) Despite subsection (3), the Centre shall not pay remuneration to a director in his or her capacity as a director if he or she is,
- (a) an employee of Her Majesty in right of Ontario or of an agency of Her Majesty in right of Ontario; or
- (b) an employee, as defined in paragraph 46 of section 208 of the *Municipal Act*, of a municipality, including a district, metropolitan or regional municipality, or of a local board as defined in the said paragraph 46.
- R.S.O. 1980, c. 302
- Disclosure: conflict of interest (5) Section 132 of the *Business Corporations Act*, 1982 applies with necessary modifications to members of the Board.
- 1982, c. 4
- Chairperson to preside **4.—**(1) The chairperson shall preside at all meetings of the Board and, in the chairperson's absence, one of the directors present at the meeting who is chosen to act by the directors present at the meeting has all the powers and duties of the chairperson.
- Quorum (2) A majority of the directors constitutes a quorum for the transaction of business at meetings of the Board.
- By-laws (3) The Board may pass by-laws regulating its proceedings, specifying the powers and duties of the officers and employees of the Centre, and generally for the conduct and management of the affairs of the Centre.
- Executive committee (4) The Board may appoint from its membership a committee of directors and delegate to such committee any of the powers of the Board.
- Approval of by-law or resolution (5) A by-law or resolution consented to by the signatures of all the directors or all of the members of a committee established under subsection (4) is as valid and effective as if it had been passed at a meeting of the Board or committee, respectively, held for that purpose.

- 3** (1) Les membres du Centre forment son conseil d'administration. Conseil
- (2) Le lieutenant-gouverneur en conseil nomme un des administrateurs à la présidence du conseil. Président
- (3) Le Centre peut verser à ses administrateurs la rémunération et les indemnités que fixe le lieutenant-gouverneur en conseil. Rémunération et indemnités
- (4) Malgré le paragraphe (3), le Centre ne verse à l'administrateur aucune rémunération en cette qualité, si celui-ci est :
- a) un employé de Sa Majesté du chef de l'Ontario ou de l'un de ses organismes;
 - b) un employé, au sens de la disposition 46 de l'article 208 de la *Loi sur les municipalités*, soit d'une municipalité, y compris une municipalité régionale, de district ou de communauté urbaine, soit d'un conseil local au sens de cette disposition. L.R.O. 1980, chap. 302
- (5) L'article 132 de la *Loi de 1982 sur les compagnies* s'applique, avec les adaptations nécessaires, aux membres du conseil. Divulcation visant les conflits d'intérêts 1982, chap. 4
- 4** (1) Le président préside les réunions du conseil. En cas d'absence du président, les administrateurs présents à la réunion choisissent parmi eux un administrateur qui est investi des pouvoirs du président et en exerce les fonctions. Présidence des réunions
- (2) La majorité des administrateurs constitue le quorum pour traiter les affaires aux réunions du conseil. Quorum
- (3) Le conseil peut adopter des règlements intérieurs régissant ses délibérations, précisant les pouvoirs et les fonctions des dirigeants et employés du Centre et traitant de façon générale de l'administration et de la direction des affaires du Centre. Règlements intérieurs
- (4) Le conseil peut choisir parmi ses membres un comité d'administrateurs auquel il peut déléguer l'ensemble ou une partie de ses pouvoirs. Comité directeur
- (5) Le règlement intérieur ou la résolution signés par tous les administrateurs ou par tous les membres du comité créé en vertu du paragraphe (4), ont la même valeur et le même effet que s'ils avaient été adoptés à une réunion du conseil ou du comité convoquée à cette fin. Approbation du règlement intérieur ou de la résolution

Duties of
Board

5. The Board shall manage and supervise the affairs of the Centre.

Objects

6.—(1) The objects of the Centre are to operate, maintain and manage an international class convention centre facility in The Regional Municipality of Ottawa-Carleton to be known as Ottawa Congress Centre in a manner that will promote and develop tourism and industry in Ontario.

Powers

(2) The Centre, for the objects set out in subsection (1), has power,

- (a) to make agreements with persons with respect to the establishment or operation by them of any works or services in connection with the construction, operation and maintenance of the Centre;
- (b) to operate or grant leases for the operation of retail shops, restaurants, theatres, parking facilities, exhibition facilities, and any other facilities or conveniences incidental to or necessary to the operation of the Centre;
- (c) to buy, hold, own, hire, maintain, control, take, lease, sell, assign, exchange, transfer, manage, improve, develop or dispose of any real and personal property and any right or privilege that, in the opinion of the Board, is necessary or convenient for the purposes of the Centre;
- (d) unless an order has been made under subsection 11 (2), to invest temporarily any surplus moneys not immediately required for the objects of the Centre in,
 - (i) securities issued by or guaranteed as to principal and interest by the Province of Ontario, any other province of Canada, or Canada,
 - (ii) guaranteed investment certificates of a trust corporation that is registered under the *Loan and Trust Corporations Act, 1987*,
 - (iii) deposit receipts, deposit notes, certificates of deposits, acceptances and other similar instruments issued or endorsed by a bank named in Schedule A or B to the *Bank Act (Canada)* or with the Province of Ontario Savings Office, and

1987, c. 33

1980-81,
c. 40 (Can.)

5 Le conseil assure la direction et la surveillance des affaires du Centre.

Fonctions du conseil

6 (1) Le Centre a pour objet d'assurer, dans la municipalité régionale d'Ottawa-Carleton, le fonctionnement et la gestion d'un centre de congrès de classe internationale, nommé «Centre des congrès d'Ottawa», de manière à encourager et à développer le tourisme et l'industrie en Ontario.

Objet

(2) Le Centre, aux fins de réaliser son objet décrit au paragraphe (1), a le pouvoir :

Pouvoirs

- a) de conclure avec quiconque des accords relatifs à la mise en place et à l'exploitation d'ouvrages et de services à l'égard de la construction et du fonctionnement du Centre;
- b) d'exploiter ou de donner à bail des boutiques, restaurants, théâtres, installations de stationnement et d'expositions, de même que des installations ou avantages connexes ou nécessaires au fonctionnement du Centre;
- c) d'acheter, de détenir, de posséder à titre de propriétaire, de louer, de conserver, de contrôler, de prendre, de donner à bail, de vendre, de céder, d'échanger, de transférer, de gérer, d'améliorer, de mettre en valeur ou d'aliéner des biens meubles et immeubles de même que des droits ou privilèges qui, de l'avis du conseil, sont utiles ou nécessaires au Centre dans la poursuite de ses objectifs;
- d) de placer provisoirement, sous réserve du décret pris en application du paragraphe 11 (2), des sommes d'argent excédentaires qui ne sont pas immédiatement requises aux fins de réaliser l'objet du Centre dans :
 - (i) des valeurs mobilières émises ou garanties, quant au principal et aux intérêts, par la province de l'Ontario, par une autre province du Canada ou par le Canada,
 - (ii) des certificats de placement garantis d'une compagnie de fiducie inscrite aux termes de la *Loi de 1987 sur les compagnies de prêt et de fiducie*,
 - (iii) des récépissés, billets ou certificats de dépôts, des acceptations ou d'autres effets semblables émis ou visés par une banque désignée à l'an-

1987,
chap. 33

R.S.O. 1980,
c. 102

- (iv) term deposits accepted by a credit union as defined in the *Credit Unions and Caisses Populaires Act*;
- (e) with the approval of the Lieutenant Governor in Council,
 - (i) to borrow money upon the credit of the Centre,
 - (ii) to issue, sell or pledge securities of the Centre, and
 - (iii) to charge, mortgage or pledge all or any currently owned or subsequently acquired real or personal property of the Centre, including book debts, rights, powers, franchises and undertakings, to secure any debt obligations or any money borrowed or other debt or liability of the Centre;
- (f) to enter into agreements with The Regional Municipality of Ottawa-Carleton for the use by the Centre of services, equipment and facilities of The Regional Municipality of Ottawa-Carleton; and
- (g) to do anything incidental to the attainment of the objects of the Centre.

Head office

7.—(1) The head office of the Centre shall be in The Regional Municipality of Ottawa-Carleton.

Seal

(2) The Centre shall have a seal which shall be adopted by a resolution or by-law of the Board.

Staff

8.—(1) The Centre may engage such persons as are considered necessary for the proper conduct of the affairs of the Centre.

Use of
Government
facilities

(2) The Centre may make use of such services and facilities, including the services of a public servant on secondment, as are provided to it by a ministry, board, commission or agency of the Government of Ontario.

Protection
from
personal
liability

9. No action or proceeding for damages shall be instituted against a director or officer of the Centre or a former director or officer of the Centre for any act done in good faith in the execution or intended execution of the person's duty or for any alleged neglect or default in the execution in good faith of the person's duty.

nexe A ou B de la *Loi sur les banques* (Canada) ou par la Caisse d'épargne de l'Ontario, 1980-1981, chap. 40 (Can.)

(iv) des dépôts à terme acceptés par une caisse au sens de la *Loi sur les caisses populaires et les crédit unions*; L.R.O. 1980, chap. 102

e) avec l'approbation du lieutenant-gouverneur en conseil :

(i) de contracter des emprunts sur le crédit du Centre,

(ii) d'émettre, de vendre ou de nantir des valeurs mobilières du Centre,

(iii) de grever, d'hypothéquer ou de nantir la totalité ou une partie des biens meubles ou immeubles qui appartiennent ou appartiendront au Centre, y compris les comptes créditeurs, les droits, pouvoirs, concessions et engagements qui ont pu être pris envers celui-ci aux fins de garantir un titre de créance, un emprunt, une dette ou une obligation du Centre;

f) de conclure avec la municipalité régionale d'Ottawa-Carleton des accords relatifs à l'utilisation par le Centre de services, de matériel et d'installations appartenant à cette municipalité;

g) de faire tout ce qui est lié à la réalisation de l'objet du Centre.

7 (1) Le siège social du Centre est situé dans la municipalité régionale d'Ottawa-Carleton. Siège social

(2) Le Centre a un sceau, que le conseil adopte par résolution ou par règlement intérieur. Sceau

8 (1) Le Centre peut se doter du personnel nécessaire à la conduite efficace de ses affaires. Personnel

(2) Le Centre peut se prévaloir des services et des installations que lui fournissent les ministères, commissions ou organismes du gouvernement de l'Ontario, y compris les services d'un fonctionnaire en détachement. Utilisation des installations du gouvernement

9 Sont irrecevables les actions ou instances en dommages-intérêts intentées contre l'administrateur ou le dirigeant Immunité

Tax
exemption

10.—(1) The real property vested in or leased to the Centre is exempt from taxation for municipal and school purposes so long as it is actually used and occupied for the purposes of the Centre.

Idem
R.S.O. 1980,
c. 439

(2) For the purposes of subsection 121 (10) of the *Regional Municipality of Ottawa-Carleton Act*, the exemption of real property from taxation granted under subsection (1) is deemed to be an exemption provided under section 3 of the *Assessment Act*.

R.S.O. 1980,
c. 31

Earnings of
Centre

11.—(1) The income, revenues and profits earned by the Centre shall be applied only to the furtherance of the objects of the Centre.

Surplus
money

(2) Any surplus moneys of the Centre shall, on the order of the Lieutenant Governor in Council, be paid to the Treasurer of Ontario and shall form part of the Consolidated Revenue Fund.

Grants or
loans

(3) The Minister may, out of the moneys appropriated therefor by the Legislature, make grants or loans to the Centre.

Fiscal year

12.—(1) The fiscal year of the Centre begins on the 1st day of April in each year and ends on the 31st day of March in the following year.

Auditors
R.S.O. 1980,
c. 405

(2) The Board shall appoint one or more auditors licensed under the *Public Accountancy Act* to audit the accounts and transactions of the Centre annually.

Review by
Provincial
Auditor

(3) The audit of the accounts of the Centre is subject to the review of the Provincial Auditor.

Annual
report

13. The Centre shall, after the close of each fiscal year, deliver to the Minister an annual report upon the affairs of the Centre including the audited financial statements signed by the chairperson of the Board and one other director, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next session.

Crown
agency
R.S.O. 1980,
c. 106

14. The Centre is a Crown agency within the meaning of the *Crown Agency Act*.

ancien ou actuel du Centre pour un acte accompli de bonne foi dans l'exercice ou l'exercice prévu de ses fonctions ou pour une négligence ou un défaut reproché dans l'exercice de bonne foi de ses fonctions.

10 (1) Les biens immeubles acquis ou loués au Centre font l'objet d'une exonération de l'impôt aux fins municipales et scolaires tant qu'ils sont effectivement utilisés et occupés aux fins du Centre.

Exonération
de l'impôt

(2) Pour l'application du paragraphe 121 (10) de la *Loi sur la municipalité régionale d'Ottawa-Carleton*, l'exonération d'impôts accordée en vertu du paragraphe (1), à l'égard des biens immeubles, est réputée l'exonération visée à l'article 3 de la *Loi sur l'évaluation foncière*.

Idem
L.R.O. 1980,
chap. 439

L.R.O. 1980,
chap. 31

11 (1) Les recettes, revenus et bénéfices réalisés par le Centre sont imputés uniquement à la réalisation de son objet.

Revenus du
Centre

(2) Par décret du lieutenant-gouverneur en conseil, les sommes d'argent excédentaires provenant du Centre sont versées au trésorier de l'Ontario et font partie du Fonds du revenu consolidé.

Sommes
d'argent
excédentaires

(3) Le ministre peut, sur les sommes affectées à cette fin par la Législature, consentir au Centre des subventions ou des prêts.

Subventions et
prêts

12 (1) L'exercice du Centre commence le 1^{er} avril et se termine le 31 mars de l'année suivante.

Exercice

(2) Le conseil charge un ou plusieurs vérificateurs titulaires d'un permis délivré en vertu de la *Loi sur les experts-comptables* de vérifier chaque année les comptes et les opérations du Centre.

Vérificateurs
L.R.O. 1980,
chap. 405

(3) La vérification des comptes du Centre est susceptible d'être révisée par le vérificateur provincial.

Révision par
le vérificateur
provincial

13 Au terme de chaque exercice, le Centre présente au ministre un rapport annuel sur les affaires du Centre, y compris les états financiers vérifiés, signés par le président du conseil et par un autre administrateur. Le ministre présente le rapport au lieutenant-gouverneur en conseil et le dépose ensuite devant l'Assemblée. Si celle-ci ne siège pas, il le dépose à la session suivante.

Rapport
annuel

14 Le Centre constitue un organisme de la Couronne au sens de la *Loi sur les organismes de la Couronne*.

Organisme de
la Couronne
L.R.O. 1980,
chap. 106

Interpretation

R.S.O. 1980,
c. 439

15.—(1) In this section, “board of management” means the board of management established under the authority of section 182 of the *Regional Municipality of Ottawa-Carleton Act* and known as Canada’s Capital Congress Centre Board of Management.

Board of
management
dissolved

(2) The board of management is dissolved and the Centre shall stand in the place of the board of management.

Transfer of
employees

(3) Every person employed under an agreement between the person and the board of management immediately before the coming into force of this Act shall be deemed to be an employee of the Centre on the same terms and conditions as prevailed between the person and the board of management and the Centre shall be deemed to be a party to every such agreement as if the Centre were the board of management.

Rights and
liabilities
continued

(4) The Centre possesses all the property, rights, privileges and franchises and is subject to all liabilities, including civil, criminal and quasi-criminal, and all contracts, disabilities and debts of the board of management.

Transfer of
title
R.S.O. 1980,
cc. 445, 230,
43, 52

(5) For the purposes of the *Registry Act*, the *Land Titles Act*, the *Bills of Sale Act*, the *Bulk Sales Act* and any other Act affecting title to the property, it is sufficient to cite this Act to show the transmission of title to the Centre and the vesting therein of any real or personal property or any interest therein and the transfer of assets effected by this section shall be deemed to have been made in conformity with each of those Acts.

16. Section 182 of the *Regional Municipality of Ottawa-Carleton Act*, being chapter 439 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1982, chapter 26, section 14, is repealed.

Commence-
ment

17. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

18. The short title of this Act is the *Ottawa Congress Centre Act, 1988*.

15 (1) Dans le présent article, «conseil de gestion» s'entend du conseil de gestion créé en vertu de l'article 182 de la *Loi sur la municipalité régionale d'Ottawa-Carleton*, nommé «Canada's Capital Congress Centre Board of Management».

Interprétation

L.R.O. 1980,
chap. 439

(2) Le conseil de gestion est dissous et est remplacé par le Centre.

Dissolution du
conseil de
gestion

(3) La personne qui, immédiatement avant l'entrée en vigueur de la présente loi, était employée aux termes d'un accord conclu entre elle et le conseil de gestion, est réputée un employé du Centre aux conditions qui avaient cours en vertu de cet accord. Le Centre est réputé une partie à chacun de ces accords, aux lieu et place du conseil de gestion.

Cession de
l'entreprise

(4) Les biens, droits, privilèges et concessions du conseil de gestion passent au Centre, auquel sont imposés les obligations, contrats, incapacités et dettes, de même que toute responsabilité civile, pénale ou quasi-pénale du conseil de gestion.

Les droits et
obligations
demeurent

(5) Pour l'application de la *Loi sur l'enregistrement des actes*, de la *Loi sur l'enregistrement des droits immobiliers*, de la *Loi sur les actes de vente d'objets*, de la *Loi sur la vente en bloc* et de toute autre loi ayant une incidence sur le titre de propriété, il suffit d'invoquer la présente loi pour établir la transmission du titre en faveur du Centre. L'acquisition au Centre des biens meubles et immeubles et des droits qui s'y rattachent, de même que la cession des biens de l'actif effectuée par le présent article, sont réputées avoir été faites conformément à chacune de ces lois.

Cession du
titre
L.R.O. 1980,
chap. 445,
230, 43, 52

16 L'article 182 de la *Loi sur la municipalité régionale d'Ottawa-Carleton*, qui constitue le chapitre 439 des Lois refondues de l'Ontario de 1980, tel qu'il est modifié par l'article 14 du chapitre 26 des Lois de l'Ontario de 1982, est abrogé.

17 La présente loi entre en vigueur le jour que le lieutenant-gouverneur fixe par proclamation.

Entrée en
vigueur

18 Le titre abrégé de la présente loi est *Loi de 1988 sur le Centre des congrès d'Ottawa*.

Titre abrégé

CHAPTER 54

An Act to amend certain Acts respecting the Environment

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

PART I

Environmental Protection Act

1.—(1) Clause 1 (1) (a) of the *Environmental Protection Act*, being chapter 141 of the Revised Statutes of Ontario, 1980, as enacted by the Statutes of Ontario, 1986, chapter 68, section 1, is amended by striking out “effects” in the first line and inserting in lieu thereof “effect”.

(2) Clause 1 (1) (c) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 52, section 1, is repealed and the following substituted therefor:

- (c) “contaminant” means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that may cause an adverse effect.

(3) Clause 1 (1) (ca) of the said Act, as enacted by the Statutes of Ontario, 1983, chapter 52, section 1, is repealed and the following substituted therefor:

- (ca) “discharge”, when used as a verb, includes add, deposit, leak or emit and, when used as a noun, includes addition, deposit, emission or leak.

(4) Clause 1 (1) (l) of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 1, is repealed and the following substituted therefor:

- (l) “person” includes a municipality as defined in this subsection.

(5) Subsection 1 (1) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 52, section 1 and 1986, chapter 68, section 1, is further amended by adding thereto the following clauses:

(da) "inspection" includes an audit, examination, survey, test and inquiry;

(ma) "place" includes a building, structure, machine, vehicle or vessel.

(6) Clause 1 (1) (p) of the said Act is amended by striking out "adds to, emits or" in the first and second lines.

2. Subsection 5 (1) of the said Act is amended by striking out "deposit in, add to, emit or" in the first line and by striking out "addition to, emission or" in the fourth line.

3.—(1) Section 6 of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 3, is further amended by striking out "added to, emitted or" in the second and third lines.

(2) The said section 6 is further amended by adding thereto the following subsection:

Public notice

(2) The Director shall give notice of the control order to every municipality in which the contaminant is discharged and to the public in such manner as the Director considers appropriate.

4.—(1) Section 7 of the said Act is amended by striking out "adding to, emitting or" in the third line.

(2) The said section 7 is further amended by adding thereto the following subsection:

Public notice

(2) The Director shall give notice of the stop order to every municipality in which the contaminant is discharged and to the public in such manner as the Director considers appropriate.

5.—(1) Subsection 8 (1) of the said Act is repealed and the following substituted therefor:

Approval of
Director

(1) No person shall, except under and in accordance with a certificate of approval issued by the Director,

- (a) construct, alter, extend or replace any plant, structure, equipment, apparatus, mechanism or thing that may discharge or from which may be discharged a contaminant into any part of the natural environment other than water; or
- (b) alter a process or rate of production with the result that a contaminant may be discharged into any part of the natural environment other than water or the rate or manner of discharge of a contaminant into any part of the natural environment other than water may be altered.

(2) Subsection 8 (2) of the said Act is amended by striking out “emission or” in the seventh line.

(3) Clause 8 (3) (c) of the said Act is repealed and the following substituted therefor:

- (c) any equipment, apparatus, mechanism or thing in or used in connection with a building or structure designed for the housing of not more than three families where the only contaminant produced by such equipment, apparatus, mechanism or thing is sound or vibration.

(4) Subsection 8 (4) of the said Act is repealed and the following substituted therefor:

(4) The Director may refuse to issue a certificate of approval or may issue a certificate of approval on such terms and conditions as the Director considers necessary, Powers of
Director

- (a) to ensure that any construction, alteration, extension, replacement, use or operation of a plant, structure, equipment, apparatus, mechanism or thing referred to in clause (1) (a) or that any alteration of a process or rate of production referred to in clause (1) (b) will result in compliance with this Act and the regulations and any order or approval hereunder; or
- (b) on probable grounds, to prevent or alleviate an adverse effect.

(5) The Director may,

Idem

- (a) alter any terms and conditions in a certificate of approval or impose new terms and conditions; or

- (b) revoke or suspend a certificate of approval,

as the Director considers necessary for the reasons set out in clause (4) (a) or (b).

Exception

(6) A person to whom the Director has issued a certificate of approval under subsection (1) may make any changes in respect of which it is impractical to first obtain an amendment to the certificate if,

- (a) the changes are not capable of increasing the potential for discharge of a contaminant into the natural environment; and
- (b) the Director is notified in writing forthwith of the changes.

No use or operation without certificate of approval

(7) No person shall use or operate a plant, structure, equipment, apparatus, mechanism or thing for which a certificate of approval is required under clause (1) (a) unless the required certificate of approval has been issued and complied with.

6. Subsection 9 (1) of the said Act is amended by striking out “addition to, emission or” in the third line.

7. Section 10 of the said Act is amended by adding thereto the following subsections:

Amendment or revocation

(2) The Director may, by order, amend or revoke a program approval that was issued in error or that no longer adequately provides for the protection and conservation of the natural environment.

Amendment or revocation on consent

(3) The Director may, by order, amend or revoke a program approval with the consent of the person to whom the program approval is directed.

No hearing for amendment or revocation on consent

(4) Subsection 122 (1) does not entitle any person to a hearing in respect of an amendment or revocation of a program approval in accordance with a consent mentioned in subsection (3).

8. Section 11 of the said Act is amended by inserting after “approval” in the first line “or order”.

9. Subsection 12 (1) of the said Act is repealed and the following substituted therefor:

Ministry to
be notified
when
contami-
nation
exceeds
permitted
level

- (1) Every person,
 - (a) who discharges into the natural environment; or
 - (b) who is the person responsible for a source of contaminant that discharges into the natural environment,

any contaminant in an amount, concentration or level in excess of that prescribed by the regulations shall forthwith notify the Ministry of the discharge.

10. Section 13 of the said Act, as amended by the Statutes of Ontario, 1983, chapter 52, section 4, is repealed and the following substituted therefor:

Prohibition

13.—(1) Notwithstanding any other provision of this Act or the regulations, no person shall discharge a contaminant or cause or permit the discharge of a contaminant into the natural environment that causes or is likely to cause an adverse effect.

Exception

(2) Subsection (1) does not apply, in respect of an adverse effect referred to in subclause 1 (1) (a) (i), to animal wastes disposed of in accordance with normal farming practices.

11.—(1) Subsection 14 (1) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 52, section 5, is repealed and the following substituted therefor:

When
Ministry to
be notified

(1) Every person who discharges a contaminant or causes or permits the discharge of a contaminant into the natural environment out of the normal course of events that causes or is likely to cause an adverse effect shall forthwith notify the Ministry.

(2) Subsection 14 (3) of the said Act is repealed.

12. Section 16 of the said Act is amended by striking out “deposit, addition, emission or” in the first and second lines.

13. Subsection 17 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 52, section 6, is amended by adding thereto the following paragraphs:

- 5. To monitor and record the discharge into the natural environment of a contaminant specified in the order and to report thereon to the Director.
- 6. To study and to report to the Director upon,

- i. measures to control the discharge into the natural environment of a contaminant specified in the order,
- ii. the effects of the discharge into the natural environment of a contaminant specified in the order,
- iii. the natural environment into which a contaminant specified in the order is likely to be discharged.

14.—(1) Subsection 18 (1) of the said Act is repealed and the following substituted therefor:

Order or
approval
binds
successor or
assignee

(1) An order or approval of a court, the Minister or the Director under this Act is binding upon the successor or assignee of the person to whom it is directed.

(2) Subsection 18 (3) of the said Act is amended by inserting after “revoked” in the first line “or set aside”.

15. Clause 20 (a) of the said Act is amended by adding at the end thereof “used in a vehicle”.

16.—(1) Subsection 21 (1) of the said Act is amended by striking out “offer or expose” in the first line and inserting in lieu thereof “or offer, expose or advertise”.

(2) Subsection 21 (2) of the said Act is amended by striking out “emission” in the third line and inserting in lieu thereof “discharge” and by striking out “offer or expose” in the fourth line and inserting in lieu thereof “or offer, expose or advertise”.

(3) Subsection 21 (3) of the said Act is amended by striking out “emission” in the third line and inserting in lieu thereof “discharge”.

17. Subsection 22 (2) of the said Act is amended by striking out “emission” in the third line and inserting in lieu thereof “discharge”.

18. Subsection 23 (2) of the said Act is repealed and the following substituted therefor:

Discharge of
waste
prohibited

(2) No person shall discharge or cause or permit the discharge of any waste on ice over any water except in accordance with the regulations.

19.—(1) Subsection 30 (1) of the said Act is amended by striking out “hold a public hearing” in the last line and inserting in lieu thereof “require the Environmental Assessment Board, by a notice in writing, to hold a hearing”.

(2) Subsection 30 (2) of the said Act is amended by striking out “Director” in the seventh line and inserting in lieu thereof “Environmental Assessment Board”.

20. Section 31 of the said Act is amended by striking out “holding a public hearing” in the last line and inserting in lieu thereof “requiring the Environmental Assessment Board to hold a hearing”.

21.—(1) Subsection 32 (1) of the said Act is amended by striking out “hold a public hearing” in the last line and inserting in lieu thereof “require the Environmental Assessment Board, by a notice in writing, to hold a hearing”.

(2) Subsection 32 (2) of the said Act is amended by striking out “Director” in the last line and inserting in lieu thereof “Environmental Assessment Board”.

22. Section 33 of the said Act is repealed and the following substituted therefor:

33.—(1) Upon receipt of a notice from the Director under section 30, 32 or 35, the Environmental Assessment Board shall hold a hearing with respect to the subject-matter of the notice.

Hearing
before
Environ-
mental
Assessment
Board

(2) The applicant, the Director and any other persons specified by the Environmental Assessment Board shall be parties to the hearing.

Parties

(3) Subsections 18 (16), (17) and (18) and sections 20 and 23 of the *Environmental Assessment Act* do not apply to a decision of the Environmental Assessment Board made in a hearing under this section.

Application
of
R.S.O. 1980,
c. 140

(4) The Environmental Assessment Board shall serve notice of its decision, together with reasons therefor, on the parties to the hearing, and the Director shall implement the decision.

Decision

(5) The Environmental Assessment Board may award the costs of a hearing before it.

Costs

(6) The Environmental Assessment Board may order by whom and to whom the costs are to be paid.

Payment

Assessment

(7) The Environmental Assessment Board may fix the amount of the costs awarded or direct that the amount be assessed and specify the scale according to which they are to be assessed and by whom they are to be assessed.

Government
funding not
to reduce
costs award

(8) The amount of the costs awarded to a person who intervened in a hearing under this section shall be fixed or assessed without any deduction for an amount paid to the person by the Crown in respect of the hearing that is repayable to the Crown.

Appeal from
decision of
Environ-
mental
Assessment
Board

33a.—(1) A party to a proceeding under this Act before the Environmental Assessment Board may appeal from its decision,

(a) on a question of law, to the Divisional Court;

(b) on a question other than a question of law, to the Lieutenant Governor in Council.

Time to
appeal to
Cabinet

(2) An appeal under clause (1) (b) shall be made in writing within thirty days after the appealing party receives the decision of the Environmental Assessment Board.

Powers of
Cabinet on
appeal

(3) In an appeal under clause (1) (b), the Lieutenant Governor in Council shall confirm, alter or revoke the decision of the Environmental Assessment Board, substitute for the decision of the Board such decision as it considers appropriate or, by notice in writing to the Environmental Assessment Board, require it to hold a new hearing with respect to all or any part of the subject-matter of the decision.

23.—(1) Subsection 35 (1) of the said Act is amended by striking out “Minister” in the third line and inserting in lieu thereof “Director”.

(2) Subsection 35 (2) of the said Act is repealed and the following substituted therefor:

When
Environ-
mental
Assessment
Board to
hold public
hearing

(2) Upon receipt of notice from the Director, the Environmental Assessment Board shall hold a public hearing with respect to the subject-matter of the notice.

(3) Subsection 35 (4) of the said Act is repealed.

(4) Subsection 35 (5) of the said Act is amended by striking out “Minister” in the first line and inserting in lieu thereof “Director”.

(5) Subsection 35 (6) of the said Act is repealed and the following substituted therefor:

(6) The Environmental Assessment Board may order that the by-law referred to in subsection (1) does not apply to the proposed waste disposal site and the by-law shall thereupon be deemed not to apply thereto. Order

24. Clause 47a (2) (b) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 49, section 2, is repealed and the following substituted therefor:

(b) that the continued operation of the vehicle will result or is likely to result in an adverse effect.

25.—(1) Subsection 47b (1) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 49, section 2, is amended by striking out “any of the effects mentioned in subsection 47a (2)” in the last line and inserting in lieu thereof “an adverse effect”.

(2) Clause 47b (9) (b) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 49, section 2, is amended by striking out “any of the effects mentioned in subsection 47a (2)” in the last line and inserting in lieu thereof “an adverse effect”.

26. Subsection 68 (1) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 52, section 11, is further amended by striking out “deposit, addition, emission or” in the third last and second last lines.

27. The heading to Part VIII of the said Act is repealed and the following substituted therefor:

LITTER, PACKAGING AND CONTAINERS

28. Clause 79 (1) (b) of the said Act is repealed.

29.—(1) Subsection 80 (1) of the said Act is repealed and the following substituted therefor:

(1) Every person having control of a pollutant that is spilled and every person who spills or causes or permits a spill of a pollutant that causes or is likely to cause an adverse effect shall forthwith notify the following persons of the spill, of the circumstances thereof, and of the action that the person has taken or intends to take with respect thereto,

Notice to
Ministry and
others

(a) the Ministry;

- (b) the municipality or, if the spill occurred within the boundaries of a regional municipality, the regional municipality within the boundaries of which the spill occurred;
- (c) where the person is not the owner of the pollutant and knows or is able to ascertain readily the identity of the owner of the pollutant, the owner of the pollutant; and
- (d) where the person is not the person having control of the pollutant and knows or is able to ascertain readily the identity of the person having control of the pollutant, the person having control of the pollutant.

(2) Subsection 80 (2) of the said Act is amended by striking out “adverse effects” in the fifth and sixth lines and inserting in lieu thereof “an adverse effect”.

30.—(1) Subsection 81 (1) of the said Act is amended by striking out “adverse effects” in the third line and inserting in lieu thereof “an adverse effect” and by striking out “effects” in the fifth line and inserting in lieu thereof “effect”.

(2) Subsection 81 (2) of the said Act is amended by striking out “adverse effects” in the last line and inserting in lieu thereof “an adverse effect”.

31.—(1) Subsection 82 (1) of the said Act is amended by striking out “adverse effects” in the second and third lines and inserting in lieu thereof “an adverse effect”.

(2) Subsection 82 (3) of the said Act is amended by striking out “effects” in the fifth line and inserting in lieu thereof “effect”.

32. Section 83 of the said Act is repealed and the following substituted therefor:

Entry and
removal

83.—(1) For the purpose of carrying out any duty imposed or order or direction made or given under this Part, any person subject to the duty or to whom the order or direction is made or given and that person’s employees and agents may,

- (a) enter any place;
- (b) construct structures and use machinery, structures, materials and equipment therein or thereon; and

- (c) remove therefrom the pollutant or any matter, thing, plant or animal or any part of the natural environment that is affected or that may reasonably be expected to be affected by the pollutant.

(2) The rights set out in subsection (1) may be enforced by application without notice to a judge of the Supreme Court or a local judge of the High Court by a person, employee or agent referred to in subsection (1).

Enforcement
of right of
entry, etc.

(3) Where the judge or local judge is satisfied that there is reasonable ground for believing that it is necessary to do anything mentioned in subsection (1), the judge or local judge may issue an order authorizing the person and the person's employees and agents or any one or more of them to do anything mentioned in subsection (1) and specified in the order.

Order by
judge

(4) An order under subsection (3) shall be carried out between 6 a.m. and 9 p.m. standard time, unless the order otherwise authorizes.

When to be
executed

33. Subsection 85 (1) of the said Act is amended by striking out "are or are likely to be adverse effects" in the second and third lines and inserting in lieu thereof "is or is likely to be an adverse effect".

34.—(1) Subclause 87 (2) (a) (i) of the said Act is amended by striking out "adverse effects" in the second line and inserting in lieu thereof "an adverse effect".

(2) Subclause 87 (4) (b) (i) of the said Act is amended by striking out "effects" in the second line and inserting in lieu thereof "effect".

35. Subsection 88 (1) of the said Act is amended by striking out "adverse effects" in the second line and inserting in lieu thereof "an adverse effect".

36. Subsection 89 (10) of the said Act is amended by striking out "discharged" in the seventh line and inserting in lieu thereof "released".

37. Subclause 91 (1) (a) (i) of the said Act is amended by striking out "adverse effects" in the second line and inserting in lieu thereof "an adverse effect".

38. Subsection 98 (5) of the said Act is amended by striking out "discharged" in the seventh line and inserting in lieu thereof "released".

39.—(1) Clause 113 (1) (a) of the said Act is amended by striking out “addition, emission or” in the first and second lines.

(2) Clause 113 (1) (b) of the said Act is amended by striking out “addition, emission or” in the first line.

(3) Clause 113 (1) (c) of the said Act is amended by striking out “added, emitted or” in the third line.

(4) Clause 113 (1) (d) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 52, section 15, is further amended by striking out “addition, emission or” in the third line.

40. Section 117 of the said Act is amended by striking out “adding to, emitting or” in the fourth line.

41.—(1) Subsection 121 (2) of the said Act is amended by striking out “or” at the end of clause (b), by inserting “or” at the end of clause (c) and by adding thereto the following clause:

- (d) imposes new terms and conditions to a certificate of approval,

(2) Section 121 of the said Act is amended by adding thereto the following subsection:

Exception

(3) Subsections (1) and (2) do not apply with respect to a decision of the Environmental Assessment Board that is implemented by the Director in accordance with subsection 33 (4).

42. Section 126 of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 9, is repealed and the following substituted therefor:

Inspection by
provincial
officer

126.—(1) For the administration of this Act or the regulations, a provincial officer may, without a warrant or court order, at any reasonable time and with any reasonable assistance, make inspections, including,

- (a) entering any part of the natural environment to ascertain the extent, if any, to which contaminants have caused an adverse effect, the causes therefor, and how any adverse effect may be prevented, elim-

inated or ameliorated and the natural environment restored;

- (b) entering any place in which the provincial officer reasonably believes can be found waste to which Part V applies;
- (c) entering any place in or from which the provincial officer reasonably believes a contaminant is being, has been or may be discharged into the natural environment;
- (d) entering any place that the provincial officer reasonably believes is likely to contain documents related to,
 - (i) an activity or undertaking that is, or is required to be, the subject of a permit, licence, certificate of approval, provisional certificate of approval, program approval, agreement or order under this Act or the regulations, or
 - (ii) the discharge of a contaminant into the natural environment;
- (e) entering any place that the provincial officer reasonably believes is, or is required to be, subject to or referred to in a permit, licence, approval, certificate of approval, provisional certificate of approval, program approval, agreement or order under this Act or the regulations;
- (f) stopping any vehicle or vessel that the provincial officer reasonably believes,
 - (i) is being operated in contravention of this Act or the regulations,
 - (ii) is discharging or has discharged a contaminant that causes or is likely to cause an adverse effect,
 - (iii) is or is required to be subject to or referred to in a certificate of approval, provisional certificate of approval or order under this Act or the regulations, or
 - (iv) is being used in the commission of an offence under this Act;

- (g) stopping any vehicle or vessel to ascertain whether the vehicle or vessel complies with this Act and the regulations;
- (h) entering any place where a motor, motor vehicle or beverage container regulated by or under this Act is stocked, displayed, sold or offered for sale to carry out his or her duties under Part III or VIII, as the case may be;
- (i) entering any establishment for the repair of motors or motor vehicles, to carry out his or her duties under Part III;
- (j) entering any ice shelter to carry out his or her duties under Part IV;
- (k) entering any abandoned motor vehicle to carry out his or her duties under Part VI;
- (l) entering any place where the provincial officer reasonably believes the permit and plates of a vehicle may be found in order to seize them in accordance with section 47a or 47b;
- (m) where a pollutant as defined in Part IX is spilled and is likely to cause an adverse effect, entering any place for the purpose of carrying out any duty imposed or order or direction made or given under that Part;
- (n) making necessary excavations;
- (o) requiring that any thing be operated, used or set in motion under conditions specified by the provincial officer;
- (p) taking samples;
- (q) recording or copying any information by any method;
- (r) requiring the production of any document that is required to be kept under this Act or the regulations, and any other document that is related to the purposes of the inspection;
- (s) upon giving a receipt therefor, removing from a place documents produced pursuant to a requirement under clause (r) for the purpose of making

copies or extracts and promptly returning them to the person who produced them; and

- (t) making reasonable inquiries of any person, orally or in writing.

(2) The operator of a vehicle or vessel shall stop the vehicle or vessel when required to do so by a provincial officer who is readily identifiable as such.

Requirement to stop

(3) Upon request, a provincial officer who exercises a power set out in subsection (1) shall identify himself or herself as a provincial officer either by the production of a copy of his or her designation or in some other manner and shall explain the purpose of the inspection.

Identification of provincial officers

(4) A provincial officer who exercises the power set out in clause (1) (t) may exclude from the questioning any person except counsel for the individual being questioned.

Power to exclude persons

(5) A person shall not exercise a power conferred by this Act to enter a room actually used as a dwelling without the consent of the occupier except under the authority of an order under section 127.

Entry to dwellings

(6) A provincial officer who exercises any power set out in subsection (1) or 126a (1) may, if the provincial officer is designated as such under the *Ontario Water Resources Act* or the *Pesticides Act*, as the case may be, do anything authorized by,

Power to administer other statutes
R.S.O. 1980, cc. 361, 376

- (a) subsection 10 (1) or 10a (1) of the *Ontario Water Resources Act*; or

- (b) subsection 19 (1) of the *Pesticides Act*.

126a.—(1) Where a thing, including a vehicle or vessel, is discharging or is likely to discharge a contaminant into the natural environment which causes or is likely to cause an adverse effect, a provincial officer may, without a warrant or court order, protect or conserve the natural environment by,

Detention or removal

- (a) giving the person responsible for the thing a direction in writing requiring that the thing be detained at the place where it is found; or
- (b) removing the thing or causing it to be removed from the place where it is found and giving a receipt for it.

Limitation

(2) A person shall not detain or remove a thing under subsection (1) for more than two days excluding holidays without the consent of the person responsible for it except under the authority of an order under section 127.

Idem

(3) Subsection 126 (3) applies with necessary modifications to a provincial officer exercising the power set out in subsection (1).

43.—(1) Subsection 127 (1) of the said Act is repealed and the following substituted therefor:

Entry or
inspection
order

(1) Where a provincial judge or justice of the peace is satisfied, on evidence upon oath by a provincial officer, that there is reasonable ground for believing that it is appropriate for the administration of this Act or the regulations for the provincial officer to do anything set out in clauses 126 (1) (a) to (s) and that the provincial officer may not be able to effectively carry out his or her duties without an order under this section because,

- (a) no occupier is present to grant access to a place that is locked or otherwise inaccessible;
- (b) a person has prevented the provincial officer from doing anything set out in clauses 126 (1) (a) to (s);
- (c) there is reasonable ground to believe that a person may prevent a provincial officer from doing anything set out in clauses 126 (1) (a) to (s);
- (d) it is impractical, because of the remoteness of the place to be inspected or because of any other reason, for the provincial officer to obtain an order under this section without delay if access is denied; or
- (e) there is reasonable ground to believe that an attempt by the provincial officer to do anything set out in clauses 126 (1) (a) to (s) without the order might defeat the purpose thereof or endanger human life, health, property or the natural environment,

the judge or justice may issue or renew an order authorizing a provincial officer to do anything set out in clauses 126 (1) (a) to (s) and specified in the order for the period of time set out in the order.

(2) Subsections 127 (1a), (1b) and (1c) of the said Act, as enacted by the Statutes of Ontario, 1983, chapter 52, section 20, are repealed and the following substituted therefor:

(1a) Where a provincial judge or justice of the peace is satisfied, on evidence upon oath by a provincial officer, that there is reasonable ground to believe that a thing detained or removed under subsection 126a (1) should be detained or removed, as the case may be, for longer than two days excluding holidays to protect or conserve the natural environment, the judge or justice may issue or renew an order authorizing a provincial officer to detain or remove the thing for the period of time set out in the order.

Detention or removal order

(3) Subsection 127 (2) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 52, section 20, is repealed and the following substituted therefor:

(2) Unless renewed, an order under this section expires not later than thirty days after the date on which it is made, and may be renewed for any reason set out in subsection (1) or (1a) before or after expiry for one or more periods each of which is not more than thirty days.

Renewal

(2a) An order under this section shall be carried out between 6 a.m. and 9 p.m. standard time, unless the order otherwise authorizes.

When to be executed

(2b) An order under this section for a reason mentioned in subsection (1) may be issued or renewed upon application without notice.

When notice not required

(2c) An order under this section for a reason mentioned in subsection (1a) shall not be issued or renewed except upon application with notice to the person responsible for the thing to be detained or removed.

When notice required

44. The said Act is amended by adding thereto the following sections:

127a. A provincial officer may detain samples and copies obtained under section 126 or 127 for any period and for any of the purposes of this Act and the regulations.

Samples and copies

127b.—(1) A provincial officer may, without a warrant or court order, seize any thing that is produced to the provincial officer, or that is in plain view, during an inspection under section 126 or 127 if the provincial officer reasonably believes that there has been a contravention of this Act or the regu-

Seizure

lations and that the thing will afford evidence of the contravention.

Possession

(2) The provincial officer may remove the thing seized or may detain it in the place where it is seized.

Notice of
reason for
seizure

(3) The provincial officer shall inform the person from whom the thing was seized as to the reason for the seizure and shall give the person a receipt for it.

Definition

127c.—(1) In this section, “offence” means an offence under this Act related to,

- (a) the discharge of a contaminant into the natural environment that causes or is likely to cause an adverse effect; or
- (b) hazardous waste or hauled liquid industrial waste.

Search by
provincial
officer re
actual
pollution

(2) A provincial officer may, without a search warrant, search any place other than a room actually used as a dwelling if the provincial officer has reasonable ground to believe,

- (a) that an offence has been committed;
- (b) that there is in such place any thing that will afford evidence as to the commission of the offence; and
- (c) that there are exigent circumstances that make it impractical to obtain a search warrant.

Seizure

(3) A provincial officer may seize any thing that is found by the provincial officer during a search under subsection (2) if the provincial officer reasonably believes that the thing will afford evidence of the commission of an offence.

Receipt

(4) A provincial officer who seizes any thing during a search under subsection (2) shall give a receipt for the thing to the person from whom it was seized.

Report to
justice

127d.—(1) A provincial officer who seizes any thing during an inspection or search under section 127b or 127c shall bring the thing seized before a provincial judge or justice of the peace or, if that is not reasonably possible, shall report the seizure to a provincial judge or justice of the peace.

Application
of
R.S.O. 1980,
c. 400,
ss. 143, 144

(2) Sections 143 and 144 of the *Provincial Offences Act* apply with necessary modifications in respect of a thing seized by a provincial officer during an inspection or search under section 127b or 127c.

127e. A provincial officer may use such force as is reasonably necessary, Use of force

(a) to carry out an order or direction issued under this Part or Part IX;

(b) to execute a warrant issued under the *Provincial Offences Act*; or R.S.O. 1980,
c. 400

(c) to prevent the destruction of any thing that the provincial officer reasonably believes may afford evidence of a contravention of this Act or the regulations.

127f. A provincial officer who makes or causes the making of an excavation in the course of his or her duties under this Act shall restore the property, so far as is reasonably possible, to the condition it was in before the excavation was made. Restoration

127g. It is a condition of every licence, permit, certificate of approval or provisional certificate of approval under this Act that the holder must forthwith on request permit provincial officers to carry out inspections authorized by section 126.126a or 127 of this Act, section 10, 10a or 10b of the *Ontario Water Resources Act* or section 19 or 19a of the *Pesticides Act* of any place, other than any room actually used as a dwelling, to which the licence, certificate of approval or provisional certificate of approval relates. Condition

R.S.O. 1980,
cc. 361, 376

45.—(1) Clause 136 (1) (b) of the said Act is amended by striking out “depositing, addition, emission or” in the first and second lines.

(2) Subsection 136 (1) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 52, section 23, is further amended by adding thereto the following clauses:

(ab) requiring the filing of returns concerning any matter regulated by or under this Act;

(la) requiring the payment of fees by applicants or any class of applicants for certificates of approval, and providing for refunds of the fees;

(lb) prescribing the amounts or the method of calculating the amounts of the fees for certificates of approval, and prescribing minimum and maximum

amounts or the method of calculating the minimum and maximum amounts of the fees;

- (lc) respecting the payment to municipalities of the fees for certificates of approval and the retention of all or part of the fees by the municipalities;
- (o) requiring and regulating the storage, treatment and disposal of sewage in vessels and the equipment therefor, and prohibiting the use and installation of equipment for the storage, treatment or disposal of sewage in vessels unless the equipment and installation thereof conform to the regulations, and providing for and requiring the approval of the Director for any such equipment and prohibiting and regulating the discharge of sewage from such vessels;
- (p) regulating and controlling, for the purpose of preventing or reducing the pollution of any water or places located on or adjacent to any water where moorings are provided for vessels or where any services are provided for vessels or the occupants thereof, and regulating and governing persons providing such moorings or services;
- (q) defining sewage for the purposes of regulations made under clauses (o) and (p).

(3) Clause 136 (1) (n) of the said Act is amended by striking out “for” in the second line and in the third line.

(4) Clause 136 (2) (b) of the said Act is amended by striking out “emission” in the fourth line and inserting in lieu thereof “discharge”.

(5) Clause 136 (2) (c) of the said Act is amended by striking out “emission” in the fourth line and in the seventh line and inserting in lieu thereof in each instance “discharge”.

(6) Clause 136 (2) (d) of the said Act is repealed and the following substituted therefor:

- (d) prescribing the standards of emission into the natural environment of any contaminant with which any motor or motor vehicle or any class or type of motor or motor vehicle shall comply and providing for the testing and inspection of any such motor, motor vehicle, class or type.

(7) Clauses 136 (3) (a), (b) and (c) of the said Act are repealed.

(8) Clause 136 (6) (c) of the said Act is amended by inserting after “sale” where it appears the first time in the second line “advertising”.

(9) Subclause 136 (6) (c) (i) of the said Act is amended by inserting after “sale” where it appears the first time in the second line “advertising”.

(10) Clause 136 (6) (d) of the said Act is amended by inserting after “sale” where it appears the first time in the first line “stocking, display, advertising”.

(11) Clause 136 (6) (j) of the said Act is amended by inserting after “use” in the first line “advertising”.

(12) Subsection 136 (7) of the said Act is amended,

(a) in clause (a), by striking out “89 (1)” in the second line and inserting in lieu thereof “88 (1)”;

(b) in clause (b), by striking out “90 (1)” in the third line and inserting in lieu thereof “89 (1)”;

(c) in clause (c), by striking out “90 (1)” in the second line and inserting in lieu thereof “89 (1)”;

(d) in clause (d), by striking out “80 (2)” in the second line and inserting in lieu thereof “79 (2)”.

46. The said Act is further amended by adding thereto the following section:

141.—(1) In this section,

Definitions

“commercial motor vehicle” and “motor vehicle” have the same meanings as in the *Highway Traffic Act*;

R.S.O. 1980,
c. 198

“offence notice or summons” means an offence notice or summons under Part I of the *Provincial Offences Act*.

R.S.O. 1980,
c. 400

(2) Delivery of an offence notice or summons to the operator of a commercial motor vehicle in respect of an offence under this Act related to the use of the vehicle shall be deemed to be personal service of the offence notice or summons on the owner or lessee of the vehicle who is named in the offence notice or summons.

Service of
offence
notice or
summons

Employer

(3) Delivery of an offence notice or summons to the operator of a motor vehicle in respect of an offence under this Act related to the use of the vehicle in the course of the operator's employment shall be deemed to be personal service of the offence notice or summons on the employer of the operator of the vehicle.

Corporation
R.S.O. 1980,
c. 400

(4) Subsections 27 (4), (5) and (6) of the *Provincial Offences Act* apply with necessary modifications to the service of an offence notice or summons in respect of an offence under this Act on a corporation,

- (a) that is or is required to be the holder of a document mentioned in clause 126 (1) (e);
- (b) that is subject to a document mentioned in clause 126 (1) (e); or
- (c) that is or is required to be the holder of a generator registration document mentioned in Regulation 309 of Revised Regulations of Ontario, 1980.

Exception

(5) Subsection (2) does not apply if, at the time of the offence, the vehicle was in the possession of the operator without the consent of the owner or lessee of the vehicle, as the case may be, but the burden of proof of that shall be on the owner or lessee of the vehicle.

Permit holder
deemed
owner
R.S.O. 1980,
c. 198

(6) For the purposes of this section, the holder of a permit under Part II of the *Highway Traffic Act* shall be deemed to be the owner of the vehicle referred to in the permit if a number plate under that Part bearing a number that corresponds to the permit was displayed on the vehicle at the time the offence was committed.

Application
of subs. (6)

(7) Subsection (6) does not apply if the number plate was displayed on the vehicle without the consent of the holder of the permit, but the burden of proof of that shall be on the holder of the permit.

47. The said Act is further amended by adding thereto the following section:

Presiding
judge

145a. The counsel or agent acting on behalf of the Crown, by notice to the clerk of the Provincial Offences Court, may require that a provincial judge preside over a proceeding in respect of an offence under this Act.

48. Clause 146b (a) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 68, section 15, is amended by

striking out "Litter" in the second line and inserting in lieu thereof "Litter, Packaging and Containers".

49.—(1) Subsection 147 (1) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 49, section 4 and amended by the Statutes of Ontario, 1986, chapter 68, section 16, is repealed and the following substituted therefor:

(1) Where any person is convicted of an offence under this Act or under subsection 16 (1) of the *Ontario Water Resources Act* in respect of hauled liquid industrial waste or hazardous waste as designated in the regulations relating to Part V of this Act and the action or failure to act for which the person is convicted may result in an adverse effect, the person is, instead of the fine elsewhere provided for the offence, liable on conviction,

Penalty
where hauled
liquid
industrial
waste or
hazardous
waste
involved
R.S.O. 1980,
c. 361

- (a) for each day or part of a day on which the offence occurs or continues to a fine of not less than \$2,000 and not more than \$5,000 on a first conviction and not less than \$4,000 and not more than \$15,000 on each subsequent conviction;
- (b) to imprisonment for a term of not more than one year; or
- (c) to both such fine and imprisonment.

(2) Subsection 147 (3) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 68, section 16, is amended by striking out "any of the effects mentioned in clauses (1) (a) to (h)" in the second and third lines and inserting in lieu thereof "an adverse effect".

(3) Subsection 147 (4) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 68, section 16, is amended by striking out "any of the effects mentioned in clauses (1) (a) to (h)" in the second and third lines and inserting in lieu thereof "an adverse effect".

50. Subsection 147a (1) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 68, section 17, is amended by striking out "deposit, addition, emission or" in the second and third lines and in the sixth line.

PART II

Ontario Water Resources Act

51. Section 1 of the *Ontario Water Resources Act*, being chapter 361 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1986, chapter 68, section 18, is further amended by re-lettering clause (ia) as (ib) and by adding thereto the following clauses:

(ia) "discharge", when used as a verb, includes add, deposit, emit or leak and, when used as a noun, includes addition, deposit, emission or leak;

.

(ja) "inspection" includes an audit, examination, survey, test and inquiry;

.

(oa) "person" includes a municipality;

(ob) "place" includes a building, structure, machine, vehicle or vessel;

.

(qa) "provincial officer" means a person who is designated under section 4;

.

(ta) "waters" means a well, lake, river, pond, spring, stream, reservoir, artificial watercourse, intermittent watercourse, ground water or other water or watercourse.

52. Section 4 of the said Act, as amended by the Statutes of Ontario, 1983, chapter 51, section 1, is further amended by adding thereto the following subsections:

Provincial
officers

(3) The Minister may designate in writing one or more officers or employees of the Ministry or other persons as provincial officers for the purposes of this Act and the regulations.

Idem

1988, c. 54

(4) A person who is an agent of the Minister for the purposes of subsection 10 (1), as it existed immediately before section 52 of the *Environment Statute Law Amendment Act*,

1988 comes into force, shall be deemed to be designated under subsection (3) until the 30th day of June, 1989.

53. Section 6 of the said Act is repealed and the following substituted therefor:

6.—(1) Upon receipt of a notice from a Director under subsection 25 (1), 26 (1) or 43 (4), the Environmental Assessment Board shall hold a hearing with respect to the subject-matter of the notice, unless subsection 6a (2) applies.

Hearing
before
Environ-
mental
Assessment
Board

(2) The applicant, the Director and any other persons specified by the Environmental Assessment Board shall be parties to the hearing.

Parties

(3) Subsections 18 (16), (17) and (18) and sections 20 and 23 of the *Environmental Assessment Act* do not apply to a decision of the Environmental Assessment Board made in a hearing under this section.

Application
of
R.S.O. 1980,
c. 140

(4) The Environmental Assessment Board shall serve notice of its decision, together with reasons therefor, on the parties to the hearing, and the Director shall implement the decision.

Decision

(5) The Environmental Assessment Board may award the costs of a hearing before it.

Costs

(6) The Environmental Assessment Board may order by whom and to whom the costs are to be paid.

Payment

(7) The Environmental Assessment Board may fix the amount of the costs awarded or direct that the amount be assessed and specify the scale according to which they are to be assessed and by whom they are to be assessed.

Assessment

(8) The amount of the costs awarded to a person who intervened in a hearing under this section shall be fixed or assessed without any deduction of an amount paid to the person by the Crown in respect of the hearing that is repayable to the Crown.

Government
funding not
to reduce
costs award

6a.—(1) Where the Environmental Assessment Board has given notice of a hearing under this Act, any person objecting to the action proposed under subsection 25 (1) or 26 (1) or the order referred to in subsection 43 (2) may serve notice of the objection, together with the reasons in support of it, on the Board within fifteen days after the notice of hearing is given.

Notice of
objection

Hearing not
required

(2) If no objections are received within the fifteen days, or if the Environmental Assessment Board is of the opinion that the objections are insufficient, the Environmental Assessment Board is not required to hold a hearing.

Extension

(3) Where the Environmental Assessment Board considers it appropriate in the circumstances, it may extend the period provided under subsection (1) for serving an objection.

Appeal from
decision of
Environmental
Assessment
Board

6b.—(1) A party to a proceeding under this Act before the Environmental Assessment Board may appeal from its decision,

(a) on a question of law, to the Divisional Court;

(b) on a question other than a question of law, to the Lieutenant Governor in Council.

Time to
appeal to
cabinet

(2) An appeal under clause (1) (b) shall be made in writing within thirty days after the appealing party receives the decision of the Environmental Assessment Board.

Powers of
Cabinet on
appeal

(3) In an appeal under clause (1) (b), the Lieutenant Governor in Council shall confirm, alter or revoke the decision or order of the Environmental Assessment Board, substitute for the decision of the Board such decision as it considers appropriate or, by notice in writing to the Environmental Assessment Board, require it to hold a new hearing with respect to all or any part of the subject-matter of the decision.

54.—(1) Clause 7 (1) (a) of the said Act is amended by striking out “municipalities and” in the third line.

(2) Clause 7 (1) (b) of the said Act is amended by striking out “municipalities and” in the third line.

(3) Subsection 7 (2) of the said Act is amended by striking out “municipalities or” in the third line.

55. The said Act is amended by adding thereto the following sections:

Order, etc.,
binds
successor or
assignee

9a.—(1) An order, approval, requirement, direction or report of a court, the Minister or a Director under this Act is binding upon the successor or assignee of the person to whom it is directed.

Record

(2) The Ministry shall maintain a record of orders, approvals, requirements, directions and reports issued under this Act.

(3) When an order, approval, requirement, direction or report has expired or is revoked or set aside, the Ministry shall include that fact in the record.

Record of
expiry,
revocation,
setting aside

(4) The Ministry shall, upon the request of any person, make a search of the records and inform the person making the request as to whether an order, approval, requirement, direction or report has been issued and shall permit inspection of it.

Search of
records

9b. In sections 10 to 10i, “adverse effect”, “contaminant” and “natural environment” have the same meanings as in the *Environmental Protection Act*.

Definitions

R.S.O. 1980,
c. 141

56.—(1) Subsection 10 (1) of the said Act is repealed and the following substituted therefor:

(1) For the administration of this Act or the regulations, a provincial officer may, without a warrant or court order, at any reasonable time and with any reasonable assistance, make inspections, including,

Inspection by
provincial
officer

- (a) entering any part of the natural environment to ascertain the extent, if any, to which contaminants have caused an adverse effect, the causes therefor, and how any adverse effect may be prevented, eliminated or ameliorated and the natural environment restored;
- (b) entering any place to ascertain the quality or quantity of water, the reasons therefor, and how any impairment thereof may be prevented, eliminated or ameliorated;
- (c) entering any place in or from which the provincial officer reasonably believes a contaminant is being, has been or may be discharged into the natural environment;
- (d) entering any place that the provincial officer reasonably believes is likely to contain documents related to,
 - (i) an activity or undertaking that is, or is required to be, the subject of a permit, licence, approval, requirement, direction, report, notice, agreement or order under this Act or the regulations, or

- (ii) the discharge of a contaminant into the natural environment;
- (e) entering any place that the provincial officer reasonably believes is, or is required to be, subject to or referred to in a permit, licence, approval, requirement, direction, report, notice, agreement or order under this Act or the regulations;
- (f) stopping any vehicle or vessel that the provincial officer reasonably believes,
 - (i) is being operated in contravention of this Act or the regulations,
 - (ii) is discharging or has discharged a contaminant that causes or is likely to cause an adverse effect,
 - (iii) is or is required to be subject to or referred to in a permit, licence, approval, requirement, direction, report, notice, agreement or order under this Act or the regulations, or
 - (iv) is being used in the commission of an offence under this Act;
- (g) stopping any vehicle or vessel to ascertain whether the vehicle or vessel complies with this Act and the regulations;
- (h) making necessary excavations;
- (i) requiring that any thing be operated, used or set in motion under conditions specified by the provincial officer;
- (j) taking samples;
- (k) recording or copying any information by any method;
- (l) requiring the production of any document that is required to be kept under this Act or the regulations, and any other document that is related to the purposes of the inspection;
- (m) upon giving a receipt therefor, removing from a place documents produced pursuant to a requirement under clause (l) for the purpose of making

copies or extracts and promptly returning them to the person who produced them; and

- (n) making reasonable inquiries of any person, orally or in writing.

(2) Section 10 of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 22, is further amended by adding thereto the following subsections:

(3a) The operator of a vehicle or vessel shall stop the vehicle or vessel when required to do so by a provincial officer who is readily identifiable as such.

Requirement to stop

(3b) Upon request, a provincial officer who exercises a power set out in subsection (1) shall identify himself or herself as a provincial officer either by the production of a copy of his or her designation or in some other manner and shall explain the purpose of the inspection.

Identification of provincial officer

(3c) A provincial officer who exercises the power set out in clause (1) (n) may exclude from the questioning any person except counsel for the individual being questioned.

Power to exclude persons

(3d) A person shall not exercise a power conferred by this Act to enter a room actually used as a dwelling without the consent of the occupier except under the authority of an order under section 10b.

Entry to dwellings

(3e) A provincial officer who exercises any power set out in subsection (1) or 10a (1) may, if the provincial officer is designated as such under the *Environmental Protection Act* or the *Pesticides Act*, as the case may be, do anything authorized by,

Power to administer other statutes

R.S.O. 1980, cc. 141, 376

- (a) subsection 126 (1) or 126a (1) of the *Environmental Protection Act*; or

- (b) subsection 19 (1) of the *Pesticides Act*.

57. The said Act is further amended by adding thereto the following sections:

10a.—(1) Where a thing, including a vehicle or vessel, is discharging or is likely to discharge a contaminant into the natural environment which causes or is likely to cause an adverse effect, a provincial officer may, without a warrant or court order, protect or conserve the natural environment by,

Detention or removal

- (a) giving the person responsible for the thing a direction in writing requiring that the thing be detained at the place where it is found; or
- (b) removing the thing or causing it to be removed from the place where it is found and giving a receipt for it.

Limitation

(2) A person shall not detain or remove a thing under subsection (1) for more than two days excluding holidays without the consent of the person responsible for it except under the authority of an order under section 10b.

Idem

(3) Subsection 10 (3b) applies with necessary modifications to a provincial officer exercising the power set out in subsection (1).

Entry or inspection order

10b.—(1) Where a provincial judge or justice of the peace is satisfied on evidence upon oath by a provincial officer that there is reasonable ground for believing that it is appropriate for the administration of this Act or the regulations for the provincial officer to do anything set out in clauses 10 (1) (a) to (m) and that the provincial officer may not be able to effectively carry out his or her duties without an order under this section because,

- (a) no occupier is present to grant access to a place that is locked or otherwise inaccessible;
- (b) a person has prevented the provincial officer from doing anything set out in clauses 10 (1) (a) to (m);
- (c) there is reasonable ground to believe that a person may prevent a provincial officer from doing anything set out in clauses 10 (1) (a) to (m);
- (d) it is impractical, because of the remoteness of the place to be inspected or because of any other reason, for the provincial officer to obtain an order under this section without delay if access is denied; or
- (e) there is reasonable ground to believe that an attempt by the provincial officer to do anything set out in clauses 10 (1) (a) to (m) without the order might defeat the purpose thereof or endanger human life, health, property or the natural environment,

the judge or justice may issue or renew an order authorizing a provincial officer to do anything set out in clauses 10 (1) (a) to (m) and specified in the order for the period of time set out in the order.

(2) Where a provincial judge or justice of the peace is satisfied, on evidence upon oath by a provincial officer, that there is reasonable ground to believe that a thing detained or removed under subsection 10a (1) should be detained or removed, as the case may be, for longer than two days excluding holidays to protect or conserve the natural environment, the judge or justice may issue or renew an order authorizing a provincial officer to detain or remove the thing for the period of time set out in the order.

Detention or
removal
order

(3) Unless renewed, an order under this section expires not later than thirty days after the date on which it is made, and may be renewed for any reason set out in subsection (1) or (2) before or after expiry for one or more periods each of which is not more than thirty days.

Renewal

(4) An order under this section shall be carried out between 6 a.m. and 9 p.m. standard time, unless the order otherwise authorizes.

When to be
executed

(5) An order under this section for a reason mentioned in subsection (1) may be issued or renewed upon application without notice.

When notice
not required

(6) An order under this section for a reason mentioned in subsection (2) shall not be issued or renewed except upon application with notice to the person responsible for the thing to be detained or removed.

When notice
required

10c. A provincial officer may detain samples and copies obtained under section 10 or 10b for any period and for any of the purposes of this Act and the regulations.

Samples and
copies

10d.—(1) A provincial officer may, without a warrant or court order, seize any thing that is produced to the provincial officer, or that is in plain view, during an inspection under section 10 or 10b if the provincial officer reasonably believes that there has been a contravention of this Act or the regulations and that the thing will afford evidence of the contravention.

Seizure

(2) The provincial officer may remove the thing seized or may detain it in the place where it is seized.

Possession

Notice of
reason for
seizure

(3) The provincial officer shall inform the person from whom the thing was seized as to the reason for the seizure and shall give the person a receipt for it.

Definition

10e.—(1) In this section, “offence” means an offence under this Act related to the discharge of any material that may impair the quality of the water of any water or water-course.

Search by
provincial
officer
re actual
pollution

(2) A provincial officer may, without a search warrant, search any place other than a room actually used as a dwelling if the provincial officer has reasonable ground to believe,

- (a) that an offence has been committed;
- (b) that there is in such place any thing that will afford evidence as to the commission of the offence; and
- (c) that there are exigent circumstances that make it impractical to obtain a search warrant.

Seizure

(3) A provincial officer may seize any thing that is found by the provincial officer during a search under subsection (2) if the provincial officer reasonably believes that the thing will afford evidence of the commission of an offence.

Receipt

(4) A provincial officer who seizes any thing during a search under subsection (2) shall give a receipt for the thing to the person from whom it was seized.

Report to
justice

10f.—(1) A provincial officer who seizes any thing during an inspection or search under section 10d or 10e shall bring the thing seized before a provincial judge or justice of the peace or, if that is not reasonably possible, shall report the seizure to a provincial judge or justice of the peace.

Application
of
R.S.O. 1980,
c. 400,
ss. 143, 144

(2) Sections 143 and 144 of the *Provincial Offences Act* apply with necessary modifications in respect of a thing seized by a provincial officer during an inspection or search under section 10d or 10e.

Use of force

10g. A provincial officer may use such force as is reasonably necessary,

- (a) to carry out an order issued under this Act;
- (b) to execute a warrant issued under the *Provincial Offences Act*; or

- (c) to prevent the destruction of any thing that the provincial officer reasonably believes may afford evidence of a contravention of this Act or the regulations.

10h. A provincial officer who makes or causes the making of an excavation in the course of his or her duties under this Act shall restore the property, so far as is reasonably possible, to the condition it was in before the excavation was made. Restoration

10i. It is a condition of every licence, permit, approval, requirement, direction, report, notice, agreement or order under this Act that the holder must forthwith on request permit provincial officers to carry out inspections authorized by section 10, 10a or 10b of this Act, section 126, 126a or 127 of the *Environmental Protection Act* or section 19 or 19a of the *Pesticides Act* of any place, other than any room actually used as a dwelling, to which the licence, certificate of approval or provisional certificate of approval relates. Condition

R.S.O. 1980,
cc. 141, 376

58. Section 11 of the said Act is amended by striking out "waters" in the fifth line and inserting in lieu thereof "water".

59. Section 14 of the said Act is amended by striking out "deposited or" in the fourth line and in the fifth line.

60. Subsection 15 (3) of the said Act is repealed and the following substituted therefor:

(3) Where any person is discharging or causing or permitting the discharge of any material of any kind into or in or near any waters that, in the opinion of the Minister, may impair the quality of the water in such waters, the Minister may apply without notice to a judge of the Supreme Court or of the District Court of the district in which the material is being discharged for an order prohibiting such discharge for such period not exceeding twenty-one days and on such terms and conditions as the judge considers proper, and such order may, on application to a judge of the Supreme Court or of the District Court of the district in which the material is being discharged, be continued for such period and on such terms and conditions as the judge considers proper. Injunction to prevent pollution of water

61. Section 16 of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 23, is repealed and the following substituted therefor:

16.—(1) Every person that discharges or causes or permits the discharge of any material of any kind into or in any waters Discharge of polluting material prohibited

or on any shore or bank thereof or into or in any place that may impair the quality of the water of any waters is guilty of an offence.

Minister to be notified when polluting material is discharged or escapes

(2) Every person that discharges or causes or permits the discharge of any material of any kind, and such discharge is not in the normal course of events, or from whose control material of any kind escapes into or in any waters or on any shore or bank thereof or into or in any place that may impair the quality of the water of any waters, shall forthwith notify the Minister of the discharge or escape, as the case may be.

62. Subsection 17 (1) of the said Act is repealed and the following substituted therefor:

Prohibiting or regulating discharge of sewage

(1) A Director may by order prohibit or regulate the discharge by any person of sewage into or in any waters, and such order may be amended, varied or revoked by the Director as the Director considers desirable.

63. Section 18 of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 25, is repealed and the following substituted therefor:

Measures to alleviate effects of impairment of quality of water

18. Where, in the opinion of a Director, it is in the public interest to do so, the Director, by order, may require a person who owns, manages or has control of a sewage works, water works or other facility which may discharge material into a water or watercourse that may impair the quality of the water, to do any one or more of the following:

1. To have available at all times, or during the periods specified in the order, the equipment, material and personnel specified in the order at the locations specified in the order to prevent, reduce or alleviate any impairment of the quality of the water or the effects of any impairment of the quality of the water.
2. To obtain, construct and install or modify the devices, equipment and facilities specified in the order at the locations and in the manner specified in the order.
3. To implement the procedures specified in the order.
4. To take all steps necessary to ensure that the procedures specified in the order will be implemented in the event that a water or watercourse becomes impaired or may become impaired.

5. To monitor and record the quality and quantity of any water specified in the order and to report thereon to the Director.
6. To study and to report to the Director upon,
 - i. measures to control the discharge into a water or watercourse of a material specified in the order,
 - ii. the effects of the discharge into a water or watercourse of a material specified in the order,
 - iii. the water or watercourse into which a material specified in the order may be discharged.

64.—(1) Clause 19 (1) (b) of the said Act is amended by striking out “deposited” in the third line.

(2) Subsection 19 (1) of the said Act is amended by striking out “municipality or” in the eleventh line.

(3) Clause 19 (2) (b) of the said Act is amended by striking out “deposits” in the first line.

65.—(1) Subsection 23 (1) of the said Act is repealed and the following substituted therefor:

(1) No person shall establish, alter, extend or replace new or existing water works except under and in accordance with an approval granted by a Director.

Approval of
Director for
water works

(2) The Director may require an applicant for an approval under subsection (1) to submit plans, specifications, engineer’s report and other information and to carry out and report on tests or experiments relating to the water supply or the work to be undertaken and, subject to subsection (4), the Director may grant the approval.

Director may
require
information

(2) Subsection 23 (4) of the said Act is repealed and the following substituted therefor:

(4) If, in the opinion of a Director, it is in the public interest to do so, the Director may,

Approval
may be
subject to
conditions,
etc.

(a) refuse to grant the approval;

(b) grant the approval on such terms and conditions as the Director considers necessary;

- (c) impose new terms and conditions to the approval;
- (d) alter the terms and conditions of the approval; or
- (e) revoke or suspend the approval.

(3) Subsection 23 (5) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 68, section 29, is repealed.

(4) Subsection 23 (6) of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 29, is repealed and the following substituted therefor:

Returns from
water works

(6) The owner of water works shall make returns to a Director of the matters and within the time specified by the Director in a direction to the owner.

(5) Subsection 23 (8) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 68, section 29, is repealed and the following substituted therefor:

No use or
operation
without
approval

(8) No person shall use or operate water works for which an approval is required under subsection (1) unless the required approval has been granted and complied with.

66.—(1) Subsection 24 (1) of the said Act is repealed and the following substituted therefor:

Approval of
Director

(1) No person shall establish, alter, extend or replace new or existing sewage works except under and in accordance with an approval granted by a Director.

Director may
require
information

(2) A Director may require an applicant for an approval under subsection (1) to submit plans, specifications, engineer's report and other information and to carry out and report on tests or experiments relating to the location of the discharge of effluent or the work to be undertaken and, subject to subsection (4), the Director may grant the approval.

(2) Subsection 24 (4) of the said Act is repealed and the following substituted therefor:

Certificate of
approval may
be subject to
conditions,
etc.

(4) If, in the opinion of a Director, it is in the public interest to do so, the Director may, subject to subsections 25 (1) and 26 (1),

- (a) refuse to grant the approval;
- (b) grant the approval on such terms and conditions as the Director considers necessary;

- (c) impose new terms and conditions to the approval;
- (d) alter the terms and conditions of the approval; or
- (e) revoke or suspend the approval.

(3) Subsection 24 (5) of said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 68, section 30, is repealed and the following substituted therefor:

(5) No person shall use or operate sewage works for which an approval is required under subsection (1) unless the required approval has been granted and complied with.

No use or
operation
without
approval

67.—(1) Subsection 25 (1) of the said Act is repealed and the following substituted therefor:

(1) Before taking any action under subsection 24 (4) with respect to a sewage works established or extended or to be established or extended by a municipality in or into another municipality or territory without municipal organization, a Director shall, by a notice in writing, require the Environmental Assessment Board to hold a hearing.

Sewage
works
established or
extended in
or into
another
municipality

(1a) The Environmental Assessment Board shall give at least fifteen days notice of the hearing to the clerk of the municipality in or into which the sewage works are being or have been established or extended and to clerks of such other municipalities and to such other persons and in such manner as the Environmental Assessment Board considers appropriate.

Notice of
hearing

(1b) The notice of hearing shall state that a hearing is not required to be held if no objections are made in accordance with subsection 6a (1).

Contents of
notice

(2) Subsection 25 (3) of the said Act is repealed.

(3) Subsection 25 (10) of the said Act is amended by inserting after “person” in the second line “other than a municipality”.

68.—(1) Subsection 26 (1) of the said Act is repealed and the following substituted therefor:

(1) Before taking any action under subsection 24 (4) with respect to a sewage works established or extended or to be established or extended by a person within a single municipality, a Director may, by a notice in writing, require the Environmental Assessment Board to hold a hearing.

Sewage
works
established or
extended
within a
municipality

Notice of
hearing

(1a) Where a hearing is to be held, the Environmental Assessment Board shall give at least fifteen days notice of the hearing to the clerk of the municipality and to such other persons and in such manner as the Environmental Assessment Board considers appropriate.

Contents of
notice

(1b) The notice of hearing shall state that a hearing is not required to be held if no objections are made in accordance with subsection 6a (1).

(2) Subsection 26 (2) of the said Act is repealed.

(3) Subsection 26 (3) of the said Act is amended by inserting after "person" in the second line "other than a municipality".

69. Section 30 of the said Act is repealed and the following substituted therefor:

Construction
or operation
of approved
sewage works
by statutory
authority
R.S.O. 1980,
c. 141

30. Sewage works that are being or have been constructed, maintained or operated in compliance with this Act, the *Environmental Protection Act* and the regulations under both Acts and with any order, direction or approval issued under the authority of this Act or any predecessor of any provision of this Act shall be deemed to be under construction, constructed, maintained or operated by statutory authority.

70. Section 31 of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 31, is repealed and the following substituted therefor:

Returns from
sewage works

31. The owner of sewage works shall make returns to a Director of the matters and within the time specified by the Director in a direction to the owner.

71. Subsection 32 (2) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 68, section 32, is repealed.

72. Subsection 33 (2) of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 33, is repealed.

73. Subsection 34 (6) of the said Act is amended by striking out "discharged" in the last line and inserting in lieu thereof "fulfilled".

74. Section 42a of the said Act, as enacted by the Statutes of Ontario, 1983, chapter 51, section 2, is amended by striking out "municipality or other" in the first line.

75.—(1) Subsection 43 (4) of the said Act is repealed and the following substituted therefor:

(4) A Director shall, before making an order under subsection (2), require the Environmental Assessment Board, by a notice in writing, to hold a hearing. Hearing

(4a) The Environmental Assessment Board shall give at least fifteen days notice of the hearing to the clerk of each municipality affected by the proposed order and to such persons and in such manner as the Environmental Assessment Board considers appropriate. Notice

(4b) The notice of hearing shall state that a hearing is not required to be held if no objections to the establishment or extension are made in accordance with subsection 6a (1). Contents of notice

(2) Subsection 43 (6) of the said Act is amended by inserting after "every" where it appears the second time in the third line "other".

(3) Subsection 43 (13) of the said Act is amended by striking out "municipality or" in the first line and by striking out "municipality and" in the thirteenth and fourteenth lines.

76.—(1) Subsection 44 (1) of the said Act, as amended by the Statutes of Ontario, 1981, chapter 50, section 2, 1983, chapter 51, section 3 and 1986, chapter 68, section 35, is further amended by striking out "Subject to the approval of the Lieutenant Governor in Council, the Minister" in the first and second lines and inserting in lieu thereof "The Lieutenant Governor in Council".

(2) The said subsection 44 (1) is further amended by adding thereto the following clauses:

- (aa) requiring a person who owns, is in occupation or has the charge, management or control of a source of sewage to monitor, record and report on the sources of sewage including, but not limited to, materials and methods of production used and intended to be used, the wastes and sewage that will or are likely to be generated, the water or water-course, water works, sewage works or plumbing that may be affected by the discharge of the sewage, and to perform and report to the Director on research respecting methods of reducing or preventing the generation of wastes and sewage from the sources of sewage;

- (ja) requiring the payment of fees by applicants or classes of applicants for approvals under section 23 and section 24, and providing for refunds of the fees;
- (jb) prescribing the amounts or the method of calculating the amounts of the fees for approvals, and prescribing minimum and maximum amounts or the method of calculating the minimum and maximum amounts of the fees;
- (jc) respecting the payment to municipalities of the fees for approvals and the retention of all or part of the fees by the municipalities.

(3) Clause 44 (2) (b) of the said Act is repealed and the following substituted therefor:

- (b) adopting by reference, in whole or in part, with or without changes, the standards made or adopted by the Canadian Standards Association respecting pipes, fittings, fixtures and materials used in plumbing, and providing for the testing and marking of such pipes, fittings, fixtures and materials or any class or classes thereof by an organization accredited by the Standards Council of Canada for that purpose, and prohibiting the use in plumbing of pipes, fittings, fixtures and materials that are not marked as approved by an organization accredited by the Standards Council of Canada for that purpose; and

77. Section 49 of the said Act is repealed.

78. The said Act is further amended by adding thereto the following section:

Definitions

49a.—(1) In this section,

R.S.O. 1980,
c. 198

“commercial motor vehicle” and “motor vehicle” have the same meanings as in the *Highway Traffic Act*;

R.S.O. 1980,
c. 400

“offence notice or summons” means an offence notice or summons under Part I of the *Provincial Offences Act*.

Service of
offence
notice or
summons

(2) Delivery of an offence notice or summons to the operator of a commercial motor vehicle in respect of an offence under this Act related to the use of the vehicle shall be

deemed to be personal service of the offence notice or summons on the owner or lessee of the vehicle who is named in the offence notice or summons.

(3) Delivery of an offence notice or summons to the operator of a motor vehicle in respect of an offence under this Act related to the use of the vehicle in the course of the operator's employment shall be deemed to be personal service of the offence notice or summons on the employer of the operator of the vehicle.

Employer

(4) Subsections 27 (4), (5) and (6) of the *Provincial Offences Act* apply with necessary modifications to the service of an offence notice or summons in respect of an offence under this Act on a corporation that is or is required to be the holder of or is subject to a document mentioned in clause 126 (1) (e) of the *Environmental Protection Act*.

Corporation
R.S.O. 1980,
cc. 400, 141

(5) Subsection (2) does not apply if, at the time of the offence, the vehicle was in the possession of the operator without the consent of the owner or lessee of the vehicle, as the case may be, but the burden of proof of that shall be on the owner or lessee of the vehicle.

Exception

(6) For the purposes of this section, the holder of a permit under Part II of the *Highway Traffic Act* shall be deemed to be the owner of the vehicle referred to in the permit if a number plate under that Part bearing a number that corresponds to the permit was displayed on the vehicle at the time the offence was committed.

Permit holder
deemed
owner
R.S.O. 1980,
c. 198

(7) Subsection (6) does not apply if the number plate was displayed on the vehicle without the consent of the holder of the permit, but the burden of proof of that shall be on the holder of the permit.

Application
of subs. (6)

79.—(1) Subsection 51 (1) of the said Act is amended by inserting after “by” in the last line “order of”.

(2) Subsection 51 (2) of the said Act is amended by inserting after “by” in the last line “order of”.

80. Section 52 of the said Act, as amended by the Statutes of Ontario, 1986, chapter 68, section 38, is repealed and the following substituted therefor:

52. If, in the opinion of a Director, a discharge of sewage into a sewage works may interfere with the proper operation of a sewage works, the Director may by order require the per-

Discharge of
sewage into
sewage works

son that discharges or causes or permits the discharge of sewage,

- (a) to stop or regulate such discharge; or
- (b) to take action in accordance with and within the time required by the order.

81.—(1) Subsection 61 (1) of the said Act is amended by striking out “or municipality” in the fourth line and in the eighth line.

(2) Subsection 61 (2) of the said Act is repealed and the following substituted therefor:

When
approval,
etc., refused

- (2) When a Director,
- (a) refuses to issue or renew, or cancels or suspends a licence or permit, or refuses to grant an approval;
 - (b) imposes terms and conditions in issuing a licence or permit or in granting an approval;
 - (c) alters the terms and conditions of a permit or approval after it is issued or granted;
 - (d) imposes new terms and conditions on a permit or approval after it is issued or granted; or
 - (e) gives or makes any notice, direction, report or order, except an order under section 43,

the Director shall serve written notice of the refusal, cancellation or suspension referred to in clause (a), the terms and conditions imposed or altered as referred to in clause (b), (c) or (d), or a written copy of the notice, direction, report or order referred to in clause (e), and written reasons therefor, upon the applicant or the person to whom the licence, permit, approval, direction, order, report or notice is issued or granted.

Hearing may
be required

(2a) The applicant or person may, by written notice served upon the Director and the Environmental Appeal Board within fifteen days after the service of the notice referred to in subsection (2), require a hearing by the Environmental Appeal Board.

Exception

(2b) Subsections (2) and (2a) do not apply with respect to a decision of the Environmental Assessment Board that is

implemented by a Director in accordance with subsection 6 (4).

(3) Subsection 61 (4) of the said Act is amended by striking out "applicant, person or municipality" in the first line and inserting in lieu thereof "applicant or person".

82. The said Act is further amended by adding thereto the following sections:

65a. The counsel or agent acting on behalf of the Crown, by notice to the clerk of the Provincial Offences Court, may require that a provincial judge preside over a proceeding in respect of an offence under this Act.

Presiding
judge

65b.—(1) Any notice, requirement, direction, order, report, decision or other document required to be given or served under this Act or the regulations is sufficiently given or served if delivered personally or sent by registered mail addressed to the person to whom delivery or service is required to be made at the latest address for service appearing on the records of the Ministry.

Service

(2) Where service is made by registered mail, the service shall be deemed to be made on the fifth day after the day of mailing unless the person on whom service is being made establishes that the person did not, acting in good faith, through absence, accident, illness or other cause beyond the person's control receive the document until a later date.

When service
deemed
made

83. Subsection 67 (2) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 68, section 41, is amended by striking out "municipality or other" in the first line.

84. Subsection 68 (2) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 68, section 41, is amended by striking out "municipality or other" in the first line.

85. Section 69 of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 68, section 41, is repealed and the following substituted therefor:

69. For the purposes of determining the penalty to which a person is liable under section 67 or 68, a conviction for an offence under this Act is a subsequent conviction if the person has previously been convicted of an offence under,

Subsequent
conviction

- (a) this Act, other than an offence related to subsection 44 (2) or sections 45 to 48;

R.S.O. 1980,
c. 141

(b) the *Environmental Protection Act*, other than for an offence related to Part VII or Part VIII; or

R.S.O. 1980,
c. 376

(c) the *Pesticides Act*.

86. Section 73 of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 68, section 41, is amended by striking out “municipality or other” in the third line and in the last line.

87. Subsection 75 (1) of the said Act, as enacted by the Statutes of Ontario, 1986, chapter 68, section 42, is repealed and the following substituted therefor:

Duty of
director or
officer:

(1) Every director or officer of a corporation that engages in an activity that may result in the discharge of any material into or in any waters or on any shore or bank thereof or into or in any place that may impair the quality of the water of any waters contrary to this Act or the regulations has a duty to take all reasonable care to prevent the corporation from causing or permitting such unlawful discharge.

88. The said Act is further amended by striking out “municipality or” in each instance where it occurs,

(a) in section 28, clause 43 (2) (c), subsections 43 (3), 43 (8), 43 (9), 44 (4) and sections 55 and 60; and

(b) in the following provisions:

1. Subsection 56 (2), as enacted by the Statutes of Ontario, 1986, chapter 68, section 39.

2. Subsections 66 (1), 66 (2), 66 (3), 71 (1), 71 (2) and 71 (3), as enacted by the Statutes of Ontario, 1986, chapter 68, section 41.

PART III

Pesticides Act

89. Subsection 1 (1) of the *Pesticides Act*, being chapter 376 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1986, chapter 68, section 43, is further amended by re-lettering clause (ca) as (cb) and by adding thereto the following clauses:

- (ca) "discharge", when used as a verb, includes add, deposit, emit or leak and, when used as a noun, includes addition, deposit, emission or leak;

- (ga) "inspection" includes an audit, examination, survey, test and inquiry;

- (ta) "place" includes a building, structure, machine, vehicle or vessel.

90. Section 4 of the said Act is amended by striking out "deposit, add, emit or" in the third line and by striking out "deposit, addition, emission or" in the fourth line.

91. Section 12 of the said Act is repealed and the following substituted therefor:

12. A licence issued before or after section 91 of the *Environment Statute Law Amendment Act, 1988* comes into force expires as prescribed by the regulations.

Term of
licence
1988, c. 54

92. Subsections 17 (2) and (3) of the said Act are repealed.

93. Section 19 of the said Act is repealed and the following substituted therefor:

19.—(1) For the administration of this Act or the regulations, a provincial officer may, without a warrant or court order, at any reasonable time and with any reasonable assistance, make inspections, including,

Inspection by
provincial
officer

- (a) entering any place in which the provincial officer reasonably believes a pesticide can be found;
- (b) entering any place in or from which the provincial officer reasonably believes a pesticide is being, has been or may be discharged into the environment;
- (c) entering any place that the provincial officer reasonably believes is likely to contain documents related to,
 - (i) an activity or undertaking that is, or is required to be, the subject of a permit, licence or order under this Act or the regulations, or

- (ii) the discharge of a pesticide into the environment;
- (d) entering any place that the provincial officer reasonably believes is, or is required to be, subject to or referred to in a permit, licence or order under this Act or the regulations;
- (e) stopping any vehicle or vessel that the provincial officer reasonably believes,
 - (i) is or is required to be subject to or referred to in a permit, licence or order under this Act or the regulations,
 - (ii) contains a pesticide, or
 - (iii) is being or may be used in the performance of an extermination;
- (f) entering any place where a pesticide is stocked, displayed, sold or offered for sale;
- (g) requiring that any thing be operated, used or set in motion under conditions specified by the provincial officer;
- (h) taking samples;
- (i) recording or copying any information by any method;
- (j) requiring the production of any document that is required to be kept under this Act or the regulations and any other document that is related to the purposes of the inspection;
- (k) upon giving a receipt therefor, removing from a place documents produced pursuant to a requirement under clause (j) for the purpose of making copies or extracts and promptly returning them to the person who produced them; and
- (l) making reasonable inquiries of any person, orally or in writing.

Requirement
to stop

(2) The operator of a vehicle or vessel shall stop the vehicle or vessel when required to do so by a provincial officer who is readily identifiable as such.

(3) Upon request, a provincial officer who exercises a power set out in subsection (1) shall identify himself or herself as a provincial officer either by the production of a copy of his or her designation or in some other manner and shall explain the purpose of the inspection.

Identification
of provincial
officers

(4) A provincial officer who exercises the power set out in clause (1) (1) may exclude from the questioning any person except counsel for the individual being questioned.

Power to
exclude
persons

(5) A person shall not exercise a power conferred by this Act to enter a room actually used as a dwelling without the consent of the occupier except under the authority of an order under section 19a.

Entry to
dwellings

(6) A provincial officer who exercises any power set out in subsection (1) may, if the provincial officer is designated as such under the *Environmental Protection Act* or the *Ontario Water Resources Act*, as the case may be, do anything authorized by,

Power to
administer
other statutes
R.S.O. 1980,
cc. 141, 361

(a) subsection 126 (1) or 126a (1) of the *Environmental Protection Act*; or

(b) subsection 10 (1) or 10a (1) of the *Ontario Water Resources Act*.

19a.—(1) Where a provincial judge or justice of the peace is satisfied, on evidence upon oath by a provincial officer, that there is reasonable ground for believing that it is appropriate for the administration of this Act or the regulations for the provincial officer to do anything set out in clauses 19 (1) (a) to (k) and that the provincial officer may not be able to effectively carry out his or her duties without an order under this section because,

Inspection
order

(a) no occupier is present to grant access to a place that is locked or otherwise inaccessible;

(b) a person has prevented the provincial officer from doing anything set out in clauses 19 (1) (a) to (k);

(c) there is reasonable ground to believe that a person may prevent a provincial officer from doing anything set out in clauses 19 (1) (a) to (k);

(d) it is impractical, because of the remoteness of the place to be inspected or because of any other reason, for the provincial officer to obtain an order

under this section without delay if access is denied;
or

- (e) there is reasonable ground to believe that an attempt by the provincial officer to do anything set out in clauses 19 (1) (a) to (k) without the order might defeat the purpose thereof or endanger human life, health, property or the natural environment,

the judge or justice may issue or renew an order authorizing a provincial officer to do anything set out in clauses 19 (1) (a) to (k) and specified in the order for the period of time set out in the order.

Renewal

(2) Unless renewed, an order under this section expires not later than thirty days after the date on which it is made, and may be renewed for any reason set out in subsection (1) before or after expiry for one or more periods each of which is not more than thirty days.

When to be
executed

(3) An order under this section shall be carried out between 6 a.m. and 9 p.m. standard time, unless the order otherwise authorizes.

Notice not
required

(4) An order under this section may be issued or renewed upon application without notice.

Samples and
copies

19b. A provincial officer may detain samples and copies obtained under section 19 or 19a for any period and for any of the purposes of this Act and the regulations.

Seizure

19c.—(1) A provincial officer may, without a warrant or court order, seize any thing that is produced to the provincial officer, or that is in plain view, during an inspection under this Act if the provincial officer reasonably believes that there has been a contravention of this Act or the regulations and that the thing will afford evidence of the contravention.

Possession

(2) The provincial officer may remove the thing seized or may detain it in the place where it is seized.

Notice of
reason for
seizure

(3) The provincial officer shall inform the person from whom the thing was seized as to the reason for the seizure and shall give the person a receipt for it.

Definition

19d.—(1) In this section, “offence” means an offence under section 4, 6 or 7.

(2) A provincial officer may, without a search warrant, search any place other than a room actually used as a dwelling if the provincial officer has reasonable ground to believe, Search by provincial officer re actual pollution

- (a) that an offence has been committed;
- (b) that there is in such place any thing that will afford evidence as to the commission of the offence; and
- (c) that there are exigent circumstances that make it impractical to obtain a search warrant.

(3) A provincial officer may seize any thing that is found by the provincial officer during a search under subsection (2) if the provincial officer reasonably believes that the thing will afford evidence of the commission of an offence. Seizure

(4) A provincial officer who seizes any thing during a search under subsection (2) shall give a receipt for the thing to the person from whom it was seized. Receipt

19e.—(1) A provincial officer who seizes any thing during an inspection or search under section 19c or 19d shall bring the thing seized before a provincial judge or justice of the peace or, if that is not reasonably possible, shall report the seizure to a provincial judge or justice of the peace. Report to justice

(2) Sections 143 and 144 of the *Provincial Offences Act* apply with necessary modifications in respect of a thing seized by a provincial officer during an inspection or search under section 19c or 19d. Application of R.S.O. 1980, c. 400, ss. 143, 144

19f. A provincial officer may use such force as is reasonably necessary, Use of force

- (a) to carry out an order issued under this Act;
- (b) to execute a warrant issued under the *Provincial Offences Act*; or
- (c) to prevent the destruction of any thing that the provincial officer reasonably believes may afford evidence of a contravention of this Act.

19g. It is a condition of every permit or licence under this Act that the holder must forthwith on request permit provincial officers to carry out inspections authorized by section 19 or 19a of this Act, section 126, 126a or 127 of the *Environmental Protection Act* or section 10, 10a or 10b of the *Ontario* Condition R.S.O. 1980, cc. 141, 361

Water Resources Act of any place, other than any room actually used as a dwelling, to which the permit or licence relates.

94.—(1) Section 20 of the said Act is amended by adding thereto the following subsection:

Public notice

(3a) The Director shall give notice of the stop order or the varied or confirmed stop order, together with written reasons therefor, to the municipality in which the emergency exists and to the public in such manner as the Director considers appropriate.

(2) Subsection 20 (10) of the said Act is amended by adding at the end thereof “and shall give notice of the rescinding order to the municipality referred to in subsection (3a) and to the public in such manner as the Director considers appropriate”.

95.—(1) Clause 21 (2) (a) of the said Act is amended by striking out “deposit, addition, emission or” in the first and second lines.

(2) Clause 21 (2) (b) of the said Act is amended by striking out “deposit, addition, emission or” in the first line.

96. Section 22 of the said Act is amended by striking out “deposits, adds, emits or” in the first line.

97. Subsection 23 (1) of the said Act is amended by striking out “deposits, adds, emits or” in the first line and by striking out “deposit, addition, emission or” in the second line.

98.—(1) Subsection 24 (1) of the said Act is repealed and the following substituted therefor:

Order binds
successor or
assignee

(1) An order of a court, the Minister, Director or a provincial officer under this Act is binding upon the successor or assignee of the person to whom it is directed.

(2) Subsection 24 (3) of the said Act is amended by inserting after “rescinded” in the first line “or set aside”.

99. Section 28 of the said Act is amended by adding thereto the following paragraph:

3a. prescribing expiry dates or the method of determining the expiry dates of licences or any class of licences.

100. The said Act is amended by adding thereto the following section:

33a. The counsel or agent acting on behalf of the Crown, by notice to the clerk of the Provincial Offences Court, may require that a provincial judge preside over a proceeding in respect of an offence under this Act.

Presiding judge

101. Section 35 of the said Act is repealed.

102. The said Act is further amended by adding thereto the following section:

35a.—(1) In this section,

Definitions

“commercial motor vehicle” and “motor vehicle” have the same meanings as in the *Highway Traffic Act*;

R.S.O. 1980,
c. 198

“offence notice or summons” means an offence notice or summons under Part I of the *Provincial Offences Act*.

R.S.O. 1980,
c. 400

(2) Delivery of an offence notice or summons to the operator of a commercial motor vehicle in respect of an offence under this Act related to the use of the vehicle shall be deemed to be personal service of the offence notice or summons on the owner or lessee of the vehicle who is named in the offence notice or summons.

Service of
offence
notice or
summons

(3) Delivery of an offence notice or summons to the operator of a motor vehicle in respect of an offence under this Act related to the use of the vehicle in the course of the operator’s employment shall be deemed to be personal service of the offence notice or summons on the employer of the operator of the vehicle.

Employer

(4) Subsections 27 (4), (5) and (6) of the *Provincial Offences Act* apply with necessary modifications to the service of an offence notice or summons on a corporation that is or is required to be the holder of or is subject to a document mentioned in clause 19 (1) (d) in respect of an offence under this Act.

Corporation

(5) Subsection (2) does not apply if, at the time of the offence, the vehicle was in the possession of the operator without the consent of the owner or lessee of the vehicle, as the case may be, but the burden of proof of that shall be on the owner or lessee of the vehicle.

Exception

(6) For the purposes of this section, the holder of a permit under Part II of the *Highway Traffic Act* shall be deemed to

Permit holder
deemed
owner

be the owner of the vehicle referred to in the permit if a number plate under that Part bearing a number that corresponds to the permit was displayed on the vehicle at the time the offence was committed.

Application
of subs. (6)

(7) Subsection (6) does not apply if the number plate was displayed on the vehicle without the consent of the holder of the permit, but the burden of proof of that shall be on the holder of the permit.

Commence-
ment

103. This Act comes into force on the day it receives Royal Assent.

Short title

104. The short title of this Act is the *Environment Statute Law Amendment Act, 1988*.

CHAPTER 55

An Act to amend the Pits and Quarries Control Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The *Pits and Quarries Control Act*, being chapter 378 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following section:

14a.—(1) Notwithstanding any other provision of this Act, the Minister may issue a licence to a person to operate a pit or quarry that was licensed to another person if the new licence is issued subject to the same terms and conditions and the same site plan as the previous licence.

Minister may
issue licence
to new
operator

(2) Subsection 4 (2) and section 5 do not apply to an application for a licence issued under subsection (1).

Subs. 4 (2)
and s. 5 do
not apply

(3) No licence shall be issued under subsection (1) if the pit or quarry has been unlicensed for more than two years at the time of the application.

Limitation

(4) Notwithstanding the decision of any court, a licence that was issued by the Minister to reflect a change in operator before the coming into force of this section is not invalid only by reason of the failure to comply with subsection 4 (2) or section 5 or 14.

Licence
issued by
Minister to
reflect
change in
operator not
invalid

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Pits and Quarries Control Amendment Act, 1988*.

Short title

CHAPTER 56

An Act to provide for Municipal Taxes in Territory without Municipal Organization

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“assessment commissioner” means an assessment commissioner as defined in clause 1 (a) of the *Assessment Act*;

R.S.O. 1980,
c. 31

“attributable commercial assessment” means the commercial assessment of a designated business that is attributed to a designated municipality as determined under subsection 3 (2);

“commercial assessment” means the total of,

- (a) the assessment for land that is used as a basis for computing business assessment, including the assessment for land that is rented and occupied by the Crown in right of Canada or any province or any board, commission, corporation, or other agency thereof, or by any municipal corporation or local board thereof,
- (b) the business assessment, and
- (c) the assessment for mineral lands,

according to the last returned assessment roll;

“designated business” means a person owning or operating any business mentioned or described in section 7 of the *Assessment Act* that is situated within a municipal taxing area and that the Minister has designated under subsection 2 (1);

“designated municipality” means the townships of Marathon and Manitouwadge in the Territorial District of Thunder Bay and any other municipality which the Minister may designate, to which all or any portion of the commercial assessment of a designated business is attributed;

R.S.O. 1980, c. 31. “land” means land as defined in clause 1 (k) of the *Assessment Act*;

“land of a designated business” means land situated within a municipal taxing area that is owned or occupied by a designated business;

“Minister” means the Minister of Municipal Affairs;

“municipal taxing area” means the geographic townships of Bomby and Brothers in the Territorial District of Thunder Bay;

“municipality” means a city, town, village, township or improvement district;

“work force in a designated municipality” means the persons employed at the works and facilities of a designated business who reside in a designated municipality;

“work force of a designated business” means the persons employed at the works and facilities of a designated business;

“yearly tax equivalent amount”, when used in respect of any year in connection with the land vested in or controlled by a designated business, means the product of,

(a) the attributable commercial assessment, and

(b) the commercial rates levied by the designated municipality in that year, in respect of taxes for municipal purposes, upon the commercial assessment in the designated municipality,

divided by 1,000.

Regulations

2.—(1) If the Minister is of the opinion that a municipality has experienced or will experience substantially increased expenditures as a result of a significant number of employees of businesses located in the municipal taxing area residing in that municipality, the Minister, subject to the approval of the Lieutenant Governor in Council, may make regulations,

- (a) declaring an affected municipality as a designated municipality under this Act;
- (b) declaring the business or businesses located in a municipal taxing area as a designated business under this Act;
- (c) designating the roll number in accordance with the last returned assessment roll pertaining to the land of a designated business;
- (d) specifying which designated municipalities are eligible to receive attributable commercial assessment from a designated business;
- (e) prescribing the types or classes of employment that shall be included in determining the work force in a designated municipality and the work force of a designated business;
- (f) prescribing the manner in which and the date on which the work force in a designated municipality and the work force of a designated business are determined; and
- (g) prescribing the date on which the designations in clauses (a), (b), (c) and (d) come into effect or expire.

(2) A regulation made under subsection (1) is, if it so provides, effective with reference to a period before it is filed.

Retroactive regulation

(3) The Minister shall not make a declaration under clause (1) (a) unless the council of a municipality has requested by resolution that a declaration be made.

Declaration on request of municipality

3.—(1) Where the Minister has made a regulation under subsection 2 (1), the attributable commercial assessment is subject to taxation for municipal purposes by the designated municipality.

Taxation in respect of land in territory without municipal organization

(2) The Minister shall, in each year and for each designated municipality, determine the attributable commercial assessment from each designated business in accordance with the following formula:

Determination of attributable commercial assessment

$$\frac{(CA)}{(AFDB)} \times \frac{(WFDM)}{(WFDB)} \times AFDM$$

where,

“CA” means the taxable commercial assessment of a designated business for school board purposes;

“AFDB” means the assessment equalization factor for the taxable commercial assessment of land of a designated business in a municipal taxing area expressed as a fraction of 100;

“AFDM” means the assessment equalization factor for the designated municipality for the taxable commercial assessment of land similar to or in the same class as land of a designated business expressed as a fraction of 100;

“WFDB” means the work force of a designated business;

“WFDM” means the work force in a designated municipality.

Determination and notification of attributable commercial assessment

4.—(1) If the Minister has made a regulation under subsection 2 (1), the Minister shall, for each year in which the regulation is in effect,

- (a) determine the attributable commercial assessment for each designated municipality with respect to each designated business;
- (b) notify the treasurer of each designated municipality of the assessments attributable to that municipality within thirty days of the return of the assessment roll under section 35 of the *Assessment Act*; and
- (c) notify each designated business of the attributable commercial assessment pertaining to each designated municipality within thirty days of the return of the assessment roll under section 35 of the *Assessment Act*.

R.S.O. 1980,
c. 31

Transition

(2) Despite clauses (1) (b) and (c), within ninety days after the date the regulation made under subsection (1) comes into force, the Minister shall notify the treasurer of each designated municipality and each designated business of the attributable commercial assessment pertaining to that municipality.

Notice to
Minister of
assessment
adjustment

(3) Where an assessment adjustment for a designated business has been made under section 32, 33, 39 or 50 of the *Assessment Act*, the assessment commissioner shall immediately notify the Minister in writing.

(4) The Minister shall, within ninety days of receipt of the notice referred to in subsection (3), recalculate the attributable commercial assessment for each designated municipality and shall give written notice of the recalculated attributable commercial assessment to the treasurer of each designated municipality and the applicable designated business.

Recalculation of attributable commercial assessment

(5) This Act applies with necessary modifications to a recalculated attributable commercial assessment described in subsection (4).

Act applies to recalculated attributable assessment

5. Where the treasurer has received notice under section 4, the council of the designated municipality shall by by-law levy on the attributable commercial assessment of that designated business the commercial rates in respect of taxes for municipal purposes levied by that designated municipality in that year upon the commercial assessment in the municipality.

Levy in respect of commercial assessment

6.—(1) The land of a designated business shall be assessed against the owner and tenant in accordance with section 16 or 17 of the *Assessment Act* as applicable.

Assessment of owner and tenant
R.S.O. 1980, c. 31

(2) Where a business assessment has been computed within a municipal taxing area by reference to the assessed value of the land, the person occupying the land in connection with the business shall be assessed the business assessment in accordance with section 7 of the *Assessment Act*.

Business assessment

7. The rates to be levied in each year by the designated municipality on the attributable commercial assessment shall be established with necessary modifications in accordance with sections 142, 158, 159, 361 and 364 of the *Municipal Act* and subsection 7 (3) of the *Ontario Unconditional Grants Act*.

Establishment of rates to be levied

R.S.O. 1980, cc. 302, 359

8.—(1) The yearly tax equivalent amount shall be added to the collector's roll of taxes when it is prepared for the year in which the sums are payable and upon being so added such sums are deemed to be municipal taxes due on the commercial assessment in respect of which they are payable.

Sums added to collector's roll

(2) Sections 369 to 371, 373, 374, 376 to 379, 381 to 396, 399, 401, 408 to 410, 412 and 419 of the *Municipal Act* apply with necessary modifications to the collection and recovery of taxes, including the addition of percentage charges and interest for non-payment of taxes and the proceedings that may be taken in default thereof.

Collection and recovery of taxes

(3) Sections 495, 496 and 497 of the *Municipal Act* apply to the striking of taxes from the roll and to the cancellation,

Reduction or refund of taxes

reduction or refund of taxes and the proceedings that may be undertaken with respect thereto.

Collection of
tax arrears
1984, c. 48

(4) Subject to section 9, the *Municipal Tax Sales Act, 1984* applies to the collection of tax arrears in respect of the realty tax portion of the yearly tax equivalent amount and the proceedings that may be undertaken with respect thereto.

Definition
R.S.O. 1980,
c. 129

9.—(1) In this section, “designated municipality” includes a district school board established under the *Education Act*.

Powers and
duties of
designated
municipality

(2) Subject to this section, a designated municipality has the powers and duties of a municipality under the *Municipal Tax Sales Act, 1984*, and the treasurer of a designated municipality, or an officer or collector having the powers and duties of a treasurer under the *Education Act*, has the powers and duties of the treasurer of a municipality under the *Municipal Tax Sales Act, 1984*.

Tax arrears
certificate

(3) Subject to section 3 of the *Municipal Tax Sales Act, 1984*, any designated municipality may register a tax arrears certificate against the title to the land owned by a designated business with respect to which tax arrears are owing.

Where two
or more
designated
municipalities
register tax
arrears
certificate

(4) Where two or more designated municipalities have registered a tax arrears certificate under subsection (3),

- (a) the registration of all tax arrears certificates shall be deemed to have occurred on the date of the earliest registration; and
- (b) subject to subsection (5), the designated municipality that first registers a certificate shall exercise the powers and duties of a municipality on behalf of all other designated municipalities that subsequently register a certificate.

Notice

(5) Where the commercial assessment of a designated business is attributed to two or more designated municipalities, a designated municipality that has registered a tax arrears certificate shall send notice under sections 4 and 9 of the *Municipal Tax Sales Act, 1984* to the other designated municipalities.

Distribution
of proceeds
from cancel-
lation of tax
certificates

(6) Where two or more designated municipalities have registered a tax arrears certificate against the same land,

- (a) despite subsection 5 (1) of the *Municipal Tax Sales Act, 1984*, the tax arrears certificates may be cancelled if payment is made of the total of all cancella-

tion prices to the designated municipality that first registered a tax arrears certificate; and

- (b) the proceeds received under clause (a) shall be applied to pay the cancellation price to each designated municipality that has registered a tax arrears certificate.

(7) Despite clause (4) (b), a designated municipality that has registered a tax arrears certificate may not enter into an extension agreement with the owner of the land, except with the consent of all other designated municipalities that have registered a certificate.

Extension
agreement

(8) An extension agreement made under subsection (7) shall be deemed to have been made with all such designated municipalities.

Idem

(9) If the land of a designated business is offered for public sale by a designated municipality under section 9 of the *Municipal Tax Sales Act, 1984* and two or more designated municipalities have registered tax arrears certificates against the same land, the minimum tender amount or minimum bid shall be the sum of the cancellation prices.

Sale of land,
minimum
tender
1984, c. 48

(10) Despite section 10 of the *Municipal Tax Sales Act, 1984*, the proceeds of a sale under section 9 of that Act shall,

Proceeds of
sale

- (a) firstly, be applied to pay the cancellation price to each designated municipality that has registered a tax arrears certificate;
- (b) secondly, be paid to all persons, other than the owner, having an interest in the land according to their priority at law; and
- (c) thirdly, be paid to the person who immediately before the registration of the tax deed was the owner of the land.

10. Where,

- (a) the commercial assessment of a designated business is attributed to two or more designated municipalities; and
- (b) a designated municipality has registered a notice of vesting under subsection 9 (3) of the *Municipal Tax Sales Act, 1984*,

Designated
municipality
deemed to
be designated
business

that designated municipality shall be deemed to be the designated business for the purposes of this Act and land of a designated business shall be assessed against the owner and tenant in accordance with paragraph 9 of section 3 of the *Assessment Act*.

R.S.O. 1980,
c. 31

Increase of
equalized
assessment

11.—(1) The attributable commercial assessment shall be included in determining the discounted equalized assessment or the rateable land of a designated municipality for purposes of apportioning the requisition or levy of any body other than a school board.

Idem

(2) The attributable commercial assessment shall be included in determining the equalized assessment per household of a designated municipality for the purposes of subsection 8 (1) of the *Ontario Unconditional Grants Act*.

R.S.O. 1980,
c. 359

Yearly tax
equivalent
amount

12. The yearly tax equivalent amount shall be deemed to be,

(a) a corporation tax, for the purposes of section 15 of the *Corporations Tax Act*; and

R.S.O. 1980,
c. 97

(b) a proper working expense of a mine, for the purposes of subsection 3 (7) of the *Mining Tax Act*.

R.S.O. 1980,
c. 269

Regulations
respecting
assessment
equalization
factor

13.—(1) For the purposes of subsection 3 (2), the Minister of Revenue shall, by regulation, prescribe the assessment equalization factor for land of a designated business and for similar land in the same class in each designated municipality.

Idem

(2) The assessment equalization factors prescribed under subsection (1) shall be determined in such a manner that the attributable commercial assessment shall be at the same relative level of assessment at market value as that at which similar land in the same class in the designated municipality is assessed.

List of names
and addresses
of employees
to be
provided to
Minister

14.—(1) A designated business shall, on or before the 31st day of July in each year preceding the year of the levy in which a regulation made under subsection 2 (1) is in force, provide to the Minister a list containing the name of each person employed at the works and facilities of the designated business on the 30th day of June in that year and the municipality, local services board, Indian reserve or other unincorporated community in which the employee resides.

Transition

(2) Despite subsection (1), within thirty days after the date the regulation made under subsection 2 (1) comes into force, a designated business shall provide to the Minister a list con-

taining the name of each person employed at the works and facilities of the designated business on the date the regulation came into force and the municipality, local services board, Indian reserve or other unincorporated community in which the employee resides.

(3) If a designated business does not provide to the Minister the information required under subsection (1) or (2) within the time periods set out therein, the Minister shall determine the proportion of the members of the work force of the designated business residing in each designated municipality as of the time periods set out in subsection (1) or (2) and the decision of the Minister is final and not subject to appeal.

Failure to
file
information

15. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

16. The short title of this Act is the *Municipal Extra-Territorial Tax Act, 1988*.

Short title

CHAPTER 57

An Act to revise the Wine Content Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“grape must” means grapes that have been destemmed and crushed leaving grape skins, pulp and seeds;

“grape product” means grape concentrate, grape juice, grape must or wine;

“regulations” means regulations made under this Act;

“winery” means a manufacturer of Ontario wine licensed under the *Liquor Licence Act*.

R.S.O. 1980,
c. 244

2. Despite the *Liquor Licence Act* and the *Liquor Control Act*, a winery that purchases its quota of Ontario grapes as required by a regulation made under clause 3 (1) (a) and that complies with the other regulations made under section 3 may,

Permission
to keep and
sell wine
R.S.O. 1980,
c. 243

(a) sell wine manufactured using imported grapes or grape product to the Liquor Control Board of Ontario; and

(b) keep for sale and sell wine manufactured using imported grapes or grape product under the supervision and control of the Liquor Control Board of Ontario.

3.—(1) The Lieutenant Governor in Council may make regulations,

Regulations

(a) requiring that wineries purchase a quota of Ontario grapes each year;

- (b) prescribing how the quota will be determined and designating and authorizing a body to make that determination;
- (c) prescribing the varieties of Ontario grapes that must be purchased for purposes of the quota;
- (d) prescribing conditions under which wineries may use imported grapes or grape product in the manufacture of wine;
- (e) prescribing documents and information wineries must submit to the Liquor Control Board of Ontario;
- (f) requiring any prescribed documents and information to be submitted to the Liquor Control Board of Ontario and prescribing the time periods for the submission;
- (g) prescribing classes of wine and the standards to be met for the prescribed classes.

Idem (2) Any regulation made under subsection (1) may be of particular or general application.

Offence **4.—**(1) Every person who knowingly furnishes false information in any document or return submitted pursuant to the regulations is guilty of an offence.

Idem (2) Every director or officer of a corporation that submitted false information pursuant to the regulations who knew that false information was provided and permitted that information to be submitted is guilty of an offence.

Limitation (3) No proceeding to prosecute under subsection (1) or (2) shall be commenced more than one year after the facts upon which the proceeding is based first came to the knowledge of the Liquor Control Board of Ontario.

Penalty (4) Every individual who is convicted of an offence under this section is liable to a fine of not more than \$10,000.

Idem (5) Every corporation that is convicted of an offence under this section is liable to a fine of not more than \$25,000.

Application of R.S.O. 1980, c. 244 (6) A conviction under this section shall be deemed to be a reason for which the Liquor Licence Board of Ontario may suspend or revoke a licence under subsection 10 (2) of the *Liquor Licence Act*.

5. This Act is repealed on the 31st day of December, 2000. Repeal
6. The *Wine Content Act*, being chapter 534 of the Revised Statutes of Ontario, 1980, the *Wine Content Amendment Act, 1984*, being chapter 2, the *Wine Content Amendment Act, 1986*, being chapter 32 and the *Wine Content Amendment Act, 1987*, being chapter 24, are repealed. Repeals
7. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor. Commence-
ment
8. The short title of this Act is the *Wine Content Act, 1988*. Short title

CHAPTER 58

An Act to amend the Occupational Health and Safety Act

Assented to November 2nd, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 22b (1), (2) and (3) of the *Occupational Health and Safety Act*, being chapter 321 of the Revised Statutes of Ontario, 1980, as enacted by the Statutes of Ontario, 1987, chapter 29, section 3, are repealed and the following substituted therefor:

(1) An employer,

- (a) shall ensure that all hazardous materials present in the work place are identified in the prescribed manner;
- (b) shall obtain or prepare, as may be prescribed, an unexpired material safety data sheet for all hazardous materials present in the work place; and
- (c) shall ensure that the identification required by clause (a) and material safety data sheets required by clause (b) are available in English and such other languages as may be prescribed.

Hazardous
material
identification
and data
sheets

(2) No person shall remove or deface the identification described in clause (1)(a) for a hazardous material.

Prohibition

(3) An employer shall ensure that a hazardous material is not used, handled or stored at a work place unless the prescribed requirements concerning identification, material safety data sheets and worker instruction and training are met.

Hazardous
material not
to be used

2. Section 22c of the said Act, as enacted by the Statutes of Ontario, 1987, chapter 29, section 3, is amended by adding thereto the following subsection:

Idem

(5a) An employer who makes a material safety data sheet readily accessible on a computer terminal at a work place,

- (a) shall take all reasonable steps necessary to keep the terminal in working order;
- (b) shall give a worker upon request a copy of the material safety data sheet; and
- (c) shall teach all workers who work with or in proximity to hazardous materials, the health and safety representative, if any, at the work place and the members of the committee how to retrieve the material safety data sheet on the computer terminal.

3.—(1) Subsections 22e (1) and (2) of the said Act, as enacted by the Statutes of Ontario, 1987, chapter 29, section 3, are repealed and the following substituted therefor:

Confidential
business
information

(1) An employer may file a claim with the claims board for an exemption from disclosing,

- (a) information required under this Part in an inventory, label or material safety data sheet; or
- (b) the name of a toxicological study used by the employer to prepare a material safety data sheet,

on the grounds that it is confidential business information.

Idem

(1a) An application under subsection (1) shall be made only in respect of such types of confidential business information as may be prescribed.

Powers and
duties of the
claims board

(2) The claims board shall exercise the powers and perform the functions of the Hazardous Materials Information Review Commission under sections 11 to 18 and 20 to 27 of the *Hazardous Materials Information Review Act* (Canada).

S.O. 1987
c. 30

(2) Subsection 22e (5) of the said Act, as enacted by the Statutes of Ontario, 1987, chapter 29, section 3, is amended by inserting after “and” in the fourth line “for three years”.

4. Subsection 22g (2) of the said Act, as enacted by the Statutes of Ontario, 1987, chapter 29, section 3, is amended by inserting after “developed” in the second line “and implemented”.

5. Subsection 34 (1) of the said Act is amended by adding thereto the following clauses:

- (aa) no inspector or other person who receives directly or indirectly from the claims board designated under subsection 22e (7) information provided to the claims board by an employer shall disclose it;

.

- (ba) no person shall use or disclose to any person information acquired, furnished, obtained or received under this Act or the regulations that is confidential business information or in respect of which a claim is pending under subsection 22e (1).

6. Subsection 41 (2) of the said Act, as amended by the Statutes of Ontario, 1987, chapter 29, section 7, is further amended by adding thereto the following paragraphs:

- 4a. exempting an employer from the requirements of clause 22b (1) (a) or (b) with respect to a hazardous material;
-
- 25. prohibiting an employer from altering a label on a hazardous material in prescribed circumstances;
 - 26. prescribing the criteria to be used by the claims board to determine whether information is confidential business information in an application under subsection 22e (1);
 - 27. requiring an employer to disclose to such persons as may be prescribed the source of toxicological data used by the employer to prepare a material safety data sheet;
 - 28. prescribing the format and contents of a material safety data sheet.

7. The Regulation known as the Workplace Hazardous Materials Information System (WHMIS) Regulation is not invalid by reason only of the fact that this Act was not in force at the time it was made.

WHMIS
Regulation

Commence-
ment

8. This Act shall be deemed to have come into force on the **31st day of October, 1988.**

Short title

9. The short title of this Act is the *Occupational Health and Safety Amendment Act, 1988.*

CHAPTER 59

**An Act permitting
Trustees and other Persons
to dispose of South African Investments**

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definitions

1.—(1) In this Act,

“organisme
de charité
enregistré”
R.S.O. 1982
c. 148

“registered charity” means a registered charity within the meaning of paragraph 110 (8) (c) of the *Income Tax Act* (Canada);

“Afrique du
Sud”

“South Africa” means the Republic of South Africa;

“placement
sud-africain”

“South African investment” means,

- (a) an investment in shares of a corporation that is incorporated under the laws of South Africa or carries on business in South Africa,
- (b) an investment in shares of a corporation that has a substantial interest in a corporation that is incorporated under the laws of South Africa or carries on business in South Africa,
- (c) an investment in shares of a corporation a substantial interest in which is held by one or more of the following,
 - (i) corporations that are incorporated under the laws of South Africa,
 - (ii) corporations that carry on business in South Africa,

CHAPITRE 59

Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains

Sanctionnée le 15 décembre 1988

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

1 (1) Les définitions qui suivent s'appliquent à la présente loi. Définitions

«action assortie du droit de vote» Action d'une catégorie des actions d'une compagnie assortie d'un droit de vote absolu ou assortie d'un droit de vote en raison de la survenance d'une éventualité qui s'est produite et se poursuit. «voting share»

«Afrique du Sud» La République d'Afrique du Sud. «South Africa»

«fiduciaire» Fiduciaire d'une fiducie. S'entend en outre d'une personne qui est responsable de la gestion et du placement de biens d'un organisme de charité enregistré ou d'une caisse de retraite. «trustee»

«organisme de charité enregistré» Organisme de charité enregistré au sens de l'alinéa 110 (8) c) de la *Loi de l'impôt sur le revenu* (Canada). «registered charity»
S. R. C. 1952, chap. 148

«placement sud-africain» Placement qui, selon le cas : «South African investment»

- a) est effectué dans des actions d'une compagnie qui est constituée en vertu des lois de l'Afrique du Sud ou qui fait affaire en Afrique du Sud;
- b) est effectué dans des actions d'une compagnie qui a une participation importante dans une compagnie qui est constituée en vertu des lois de l'Afrique du Sud ou qui fait affaire en Afrique du Sud;

- (iii) persons who are citizens of South Africa or who ordinarily reside there,
- (d) an investment in shares of a corporation a substantial interest in which is held by a corporation that also holds a substantial interest in another corporation that is incorporated under the laws of South Africa or that carries on business in South Africa,
- (e) an investment in bonds, debentures or other evidences of indebtedness issued or guaranteed by the Government of South Africa or by a corporation whose shares are a South African investment under clause (a), (b), (c) or (d),
- (f) any other investment that has a substantial connection with South Africa;

"fiduciaire"

"trustee" means a trustee of a trust and includes a person who is responsible for investing and managing the assets of a registered charity or a pension fund;

"action
assortie du
droit de
vote"

"voting share" means a share of a class of shares of a corporation that carries voting rights under all circumstances or under some circumstances that have occurred and are continuing.

Substantial
interest

(2) A person shall be deemed to have a substantial interest in a corporation if the person beneficially owns or controls 10 per cent or more of the issued and outstanding voting shares in the corporation.

Application
of Act

2. This Act applies to all trusts, registered charities and pension funds.

Trustee
not liable
R.S.O. 1980,
c. 512

3. Despite the *Trustee Act* or any other law, a trustee who acts in accordance with this Act and in a reasonably prudent manner does not commit a breach of statutory or other legal duty by,

- (a) disposing of a South African investment even if the value of the property for which the trustee is responsible decreases or fails to increase sufficiently as a result; or

- c) est effectué dans des actions d'une compagnie dans laquelle une ou plusieurs des personnes suivantes ont une participation importante :
 - (i) des compagnies qui sont constituées en vertu des lois de l'Afrique du Sud,
 - (ii) des compagnies qui font affaire en Afrique du Sud,
 - (iii) des citoyens de l'Afrique du Sud ou des personnes qui ont leur résidence ordinaire en Afrique du Sud;
- d) est effectué dans des actions d'une compagnie dans laquelle une participation importante appartient à une compagnie qui a également une participation importante dans une autre compagnie qui est constituée en vertu des lois de l'Afrique du Sud ou qui fait affaire en Afrique du Sud;
- e) est effectué dans des obligations, débentures ou autres titres de créance émis ou garantis par le gouvernement de l'Afrique du Sud ou par une compagnie dont les actions constituent un placement sud-africain aux termes des alinéas a), b), c) ou d);
- f) a, par ailleurs, des liens étroits avec l'Afrique du Sud.

(2) Une personne est réputée avoir une participation importante dans une compagnie si elle est propriétaire bénéficiaire ou qu'elle a le contrôle de 10 pour cent ou plus des actions de la compagnie émises, en circulation et assorties du droit de vote.

Participation importante

2 La présente loi s'applique aux fiducies, aux organismes de charité enregistrés et aux caisses de retraite.

Champ d'application

3 Malgré la *Loi sur les fiduciaires* et toute autre loi, le fiduciaire qui agit conformément à la présente loi et fait preuve d'une prudence normale ne manque pas au devoir que lui impose la loi :

Absence de responsabilité
L.R.O. 1980,
chap. 512

- a) s'il aliène un placement sud-africain, même s'il en résulte une diminution ou une augmentation insuffisante de la valeur des biens dont il a la responsabilité;

(b) refusing to acquire a South African investment.

Definition

4.—(1) In this section, “identifiable beneficiary” means an existing person who can be clearly identified as a beneficiary of a trust or a pension fund and does not include a person who has been declared mentally incompetent.

Consent of
beneficiaries
required

(2) If there are no more than 100 identifiable beneficiaries of a trust or pension fund, section 3 applies only if the trustee gives written notice to the identifiable beneficiaries of the intended transaction and the trustee does not receive, within sixty days after giving the written notice, notice of opposition to the transaction from a majority of identifiable beneficiaries whose combined beneficial interest in the trust or pension fund comprises more than 50 per cent of its assets.

Idem

(3) If there are more than 100 identifiable beneficiaries of a trust or pension fund, section 3 applies only if the trustee has made inquiries and has reasonable grounds to believe that a majority of them would consent to the intended transaction and that their combined beneficial interest in the trust or pension fund comprises more than 50 per cent of its assets.

Consent
of minor

(4) A person who has lawful custody of an identifiable beneficiary who is less than eighteen years of age may give or refuse consent on the beneficiary’s behalf.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. The short title of this Act is the *South African Trust Investments Act, 1988*.

- b) s'il refuse d'investir ces biens dans un placement sud-africain.

4 (1) Dans le présent article, «bénéficiaire identifiable» Définition
s'entend d'une personne existante qui peut être identifiée avec exactitude en tant que bénéficiaire d'une fiducie ou d'une caisse de retraite. Est toutefois exclue la personne qui fait l'objet d'une déclaration d'incapacité mentale.

(2) Lorsqu'une fiducie ou une caisse de retraite n'a pas plus de 100 bénéficiaires identifiables, l'article 3 ne s'applique que si le fiduciaire leur donne un avis écrit de l'opération projetée et qu'il ne reçoit pas, dans les soixante jours de l'avis écrit, un avis d'opposition à l'opération provenant d'une majorité des bénéficiaires identifiables dont l'intérêt total dans la fiducie ou la caisse dépasse 50 pour cent des biens de la fiducie ou de la caisse. Consentement des bénéficiaires

(3) Lorsqu'une fiducie ou une caisse de retraite a plus de 100 bénéficiaires identifiables, l'article 3 ne s'applique que si le fiduciaire, s'étant renseigné, a des motifs raisonnables de croire qu'une majorité d'entre eux donneraient leur consentement à l'opération projetée et que leur intérêt total dans la fiducie ou la caisse dépasse 50 pour cent des biens de la fiducie ou de la caisse. Idem

(4) Une personne qui a la garde légitime d'un bénéficiaire identifiable âgé de moins de dix-huit ans peut donner ou refuser le consentement au nom du bénéficiaire. Consentement du mineur

5 La présente loi entre en vigueur le jour où elle reçoit la sanction royale. Entrée en vigueur

6 Le titre abrégé de la présente loi est *Loi de 1988 sur les placements sud-africains détenus en fiducie*. Titre abrégé

CHAPTER 60

An Act respecting Agricultural and Horticultural Organizations

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

PART I

GENERAL

1. In this Act,

Definitions

“board” means the board of directors of an organization;

“Director” means the person appointed as Director under section 4;

“Minister” means the Minister of Agriculture and Food;

“organization” means an agricultural association, agricultural society or horticultural society to which this Act applies.

2. This Act applies to every agricultural association, agricultural society or horticultural society incorporated or continued under this Act. Application

3.—(1) Every organization is a corporation without share capital. Body
corporate

(2) The *Corporations Information Act* does not apply to an organization. R.S.O. 1980,
c. 96 does
not apply

4. The Minister shall appoint an officer of the Ministry of Agriculture and Food to be the Director for the purposes of this Act. Appointment
of Director

5. An organization may be incorporated under this Act if each applicant signs the articles of incorporation and the articles of incorporation are forwarded to the Director. Articles of
incorporation

Contents of
articles

6. Articles of incorporation shall set out,

- (a) the name of the organization to be incorporated;
- (b) the type of organization;
- (c) the objects for which the organization is to be incorporated;
- (d) the place in Ontario where the registered office of the organization is to be located;
- (e) the names and addresses of one or more proposed first directors;
- (f) the names and addresses of the members of the organization; and
- (g) any other matter required by this Act or the regulations to be set out in the articles.

Certificate of
incorporation

7.—(1) If the Minister is satisfied that the requirements of this Act have been met and it is in the public interest to do so, the Minister may issue a certificate of incorporation to which is attached a copy of the articles of incorporation.

Date of
incorporation

(2) An organization comes into existence on the date set out in its certificate of incorporation.

Name

8.—(1) An organization shall bear the name designated in the articles of incorporation.

Dispute over
name

(2) If there is a dispute as to the name of an organization or if, in the opinion of the Minister, the name of an organization prejudicially affects the interests of another organization or corporation, the Minister may issue a certificate of amendment to the articles of incorporation changing the name of the organization.

Amendments
to articles

9. An organization may by by-law, with the approval of the Minister, amend its articles of incorporation to change any provision set out in its articles including its name.

Annual
meeting

10.—(1) Each organization shall hold an annual meeting of its members not later than six months after its incorporation and subsequently not more than fifteen months after the holding of the last preceding annual meeting or such other time as the Director may approve.

(2) The time and place of the annual meeting shall be set out in a by-law of the organization. Idem

(3) At least two weeks notice of the annual meeting shall be given by mailing it to each member of the organization and, Notice of annual meeting

(a) by publishing it in a newspaper generally circulated in the area of the headquarters of the organization; or

(b) by publishing it in a periodical that is generally circulated in the agricultural or horticultural community, as appropriate.

11.—(1) The members of each organization, at the annual meeting, shall elect a board of directors. Board of directors

(2) The number of directors, their representation of certain districts or classes of members, and their method of selection shall be set out in the by-laws of the organization. Idem

(3) The directors shall appoint a treasurer or secretary-treasurer. Treasurer and secretary-treasurer

(4) Subject to subsection (3), the officers of the organization shall be appointed in the manner set out in the by-laws of the organization. Officers

(5) At each annual meeting, the retiring directors of the board shall present a report of the activities of the organization during the previous year and the audited financial statement for the previous year. Annual report and financial statement

12.—(1) Every board shall require the treasurer or secretary-treasurer to give security to cover against any loss of the funds of the organization. Security against loss

(2) Every board shall, in each year, inquire into the sufficiency of the security. Sufficiency of security

(3) If the security is insufficient, each director of the board is personally liable for any loss suffered by the organization thereby. Directors responsible for loss

13. No compensation shall be paid to a director, officer or member of an agricultural society or horticultural society, other than the treasurer, secretary-treasurer or secretary but reasonable expenses incurred by a director, officer or member in the performance of his or her duties may be paid. Compensation

Meetings of
the board

14. A meeting of the board shall be called by the secretary upon the direction of the president or of any three members of the board by sending notice thereof to all the members of the board at least seven days before the time fixed for the meeting.

Annual
reports

15.—(1) Every organization shall, within ninety days of the annual meeting of the organization, submit to the Director,

- (a) a copy of the audited financial statement;
- (b) a statement of the number of current members;
- (c) a list of the directors and officers of the organization and their addresses; and
- (d) a copy of the annual report submitted at the annual meeting.

Information
to be public

(2) The information filed under subsection (1) shall be open to examination by the public upon request to the Director.

Director may
require
information

(3) The Director may require an organization or an officer of the organization to furnish such information regarding the organization that the Director considers necessary or advisable.

Affidavits as
to accuracy

(4) The Director may require that any information submitted under subsection (3) be accompanied by an affidavit of all or any of the officers of the organization deposing as to its accuracy.

Offence

16. Any officer, director or auditor of an organization who makes a false statement in any report or information required under this Act is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.

Legislative
grant

17.—(1) The Minister may make grants in the amount and to the organizations prescribed by regulation out of the moneys appropriated by the Legislature for such purposes.

Condition of
grant

(2) It is a condition of the payment of a grant that none of the funds of the organization, from whatever source derived, have been expended in a manner inconsistent with the objects of the organization.

(3) The Minister may appoint a person to inspect the books and accounts of any organization and the books and accounts of the organization shall be made available for that purpose.

Inspection

18.—(1) If an organization fails to comply with section 15, the Minister may cancel the certificate of incorporation of the organization and it is dissolved on the date specified by the Minister.

Dissolution for cause

(2) No organization shall be dissolved under this section unless twelve months notice has been given to the board of the organization by the Minister of the intention to dissolve the organization and the board is given the opportunity to bring the organization into good standing within that time.

Notice of dissolution

19. An organization may be dissolved by the Minister upon the authorization of a special resolution passed at a meeting of the members of the organization duly called for that purpose.

Dissolution upon request

20.—(1) If an organization is dissolved by the Minister, the persons comprising the board at the date of dissolution are the trustees of the assets of the organization and shall deliver to the Director a statement of the assets and liabilities of the organization.

Trustees

(2) The Director may direct the trustees to pay the debts of the organization and liquidate any of the assets for such purposes.

Payment of debts on dissolution

(3) Subject to the approval of the Director, all money and assets remaining after the payment of debts shall be disposed of by the trustees in such manner as they may determine.

Disposition of assets

PART II

AGRICULTURAL ASSOCIATIONS

21.—(1) This Part applies to agricultural associations.

Application

(2) Every agricultural association incorporated under the *Agricultural Associations Act* is continued as an agricultural association under this Act.

Associations continued
R.S.O. 1980,
c. 8

22. An association or group of persons formed for the purpose of advancing agriculture may be incorporated under this Act as an agricultural association.

Eligibility for incorporation

23. The objects of an agricultural association are,

Objects

- (a) to promote the development, sale and export of agricultural products; and
- (b) to provide educational opportunities related to agriculture and rural life.

Minimum
membership

24. The Lieutenant Governor in Council may by regulation establish the minimum membership required for an agricultural association to be incorporated under this Act.

PART III

AGRICULTURAL SOCIETIES

Application

25.—(1) This Part applies to agricultural societies.

Societies
continued
R.S.O. 1980,
c. 14

(2) Every agricultural society incorporated under the *Agricultural Societies Act* is continued as an agricultural society under this Act.

Deemed
societies

(3) The Western Fair Association and Central Canada Exhibition are deemed to be agricultural societies incorporated under this Act.

Criteria for
incorporation

26. An agricultural society may be incorporated if,

- (a) the articles of incorporation are signed by at least sixty persons who reside within forty kilometres of the place designated as the headquarters of a society; and
- (b) at least twenty of the incorporators are engaged in an agricultural occupation.

Refusal to
incorporate
society

27. If the headquarters of a proposed agricultural society is within forty kilometres of the headquarters of an existing society, the Minister shall notify the existing society and if it objects to the proposed society, the Minister may refuse to incorporate the proposed society.

Objects

28. The objects of an agricultural society are to encourage an awareness of agriculture and to promote improvements in the quality of life of persons living in an agricultural community by,

- (a) researching the needs of the agricultural community and developing programs to meet those needs;
- (b) holding agricultural exhibitions featuring competitions for which prizes may be awarded;

- (c) promoting the conservation of natural resources;
- (d) encouraging the beautification of the agricultural community;
- (e) supporting and providing facilities to encourage activities intended to enrich rural life; and
- (f) conducting or promoting horse races when authorized to do so by a by-law of the society.

29. If an agricultural society has not held an annual meeting in the time period prescribed under subsection 10 (1), the Director may appoint a time and place for the meeting to be held.

Failure to hold annual meeting

30. The land, as defined in the *Assessment Act*, occupied by an agricultural society or a tenant of a society is exempt from taxes for municipal and school purposes, other than local improvement rates, so long as the land or the proceeds from the rental of the land is used solely for the purposes of the society.

Tax exemption
R.S.O. 1980,
c. 31

31. The board of a society may pass by-laws,

By-laws respecting exhibition grounds

- (a) prohibiting any theatrical, circus or acrobatic performance; and
- (b) regulating the sale of goods and produce,

on exhibition grounds operated by the society or within 275 metres thereof on the day of an exhibition organized by the society.

32. Any person may join an agricultural society by paying the annual fee set out in a by-law of the society but no person under the age of eighteen years is eligible to vote at meetings of the society.

Membership open

PART IV

HORTICULTURAL SOCIETIES

33.—(1) This Part applies to horticultural societies.

Application

(2) Every horticultural society incorporated under the *Horticultural Societies Act* is continued as a horticultural society under this Act.

Societies continued
R.S.O. 1980,
c. 204

Society
may be
incorporated
R.S.O. 1980,
c. 302

34.—(1) A horticultural society may be incorporated to carry out its objects in any local municipality, as defined in the *Municipal Act*, having a population of not less than 200.

Additional
societies

(2) In a local municipality, having a population of not less than 25,000, there may be two horticultural societies and for each additional 25,000 of population, there may be an additional society.

Where
municipal
reorgani-
zation

(3) A reorganization, amalgamation or boundary alteration of a municipality does not affect any horticultural society that has been incorporated prior thereto.

Criteria for
incorporation

35. A horticultural society may be incorporated if,

- (a) the articles of incorporation are signed by at least twenty-five persons in a territorial district or fifty persons elsewhere in Ontario; and
- (b) the incorporators are residents of the municipality or municipalities in which the society is to be incorporated.

Objects

36. The objects of a horticultural society are to encourage interest and improvement in horticulture,

- (a) by holding meetings respecting the theory and practice of horticulture;
- (b) by encouraging the planting of trees, shrubs and flowers on public and private grounds;
- (c) by promoting balcony and community gardening and outdoor beautification;
- (d) by arranging field trips, contests, competitions and exhibitions related to horticulture and awarding prizes;
- (e) by distributing seeds, plants, bulbs, flowers, trees and shrubs;
- (f) by promoting the protection of the environment;
- (g) by promoting the circulation of horticultural information through any media;
- (h) by promoting the benefits of therapeutic horticulture; and

- (i) by stimulating an interest in the study of horticulture.

37. A horticultural society shall not spend more than one-half of its total annual receipts, excluding grants or donations made for specific purposes, upon any one of the projects enumerated in section 36 except for the planting of trees, shrubs and plants on public grounds and the promotion of outdoor beautification.

Expenditures
restricted

38.—(1) Any person may join a horticultural society by paying the annual fee set out in a by-law of the society but no person under the age of eighteen years is eligible to vote at meetings of the society.

Eligibility for
membership

(2) Except as otherwise provided in the by-laws of a horticultural society, a partnership or corporation or an association directed towards horticultural interests may become a member of the society upon payment of the annual fee and shall designate one person to exercise the privilege of membership in the society.

Types of
membership

39. Every horticultural society is entitled to be affiliated with the Ontario Horticultural Association upon payment of the fees established by the Association.

Affiliation

40. The board of a horticultural society may pass by-laws respecting the awarding of prizes for a product at an exhibition of the society.

By-laws
respecting
prizes

PART V

MISCELLANEOUS

41. The Lieutenant Governor in Council may make regulations,

Regulations

- (a) providing the terms and conditions upon which an agricultural society may hold races or trials of speed for horses and the amount of the prizes awarded therefor;
- (b) prescribing those organizations that are eligible to receive grants and prescribing the terms and conditions under which the grants may be paid;
- (c) establishing the amounts of any grants payable and the minimum or maximum amounts of such grants;

- (d) establishing a formula for determining the amount of any grant payable;
- (e) prescribing the powers and duties of the officers of any organization;
- (f) prescribing matters to be set out in the articles of incorporation;
- (g) prescribing criteria to be contained in the by-laws of a specific organization or of any class of organization;
- (h) respecting the expenditures of an organization and the filing of information related to such expenditures;
- (i) prescribing matters to be set out in the annual report;
- (j) respecting the names of organizations and the filing of documents relating to the names and requiring the registration of the names in the manner set out in the regulations.

Repeals

42. The following are repealed:

1. The *Agricultural Associations Act*, being chapter 8 of the Revised Statutes of Ontario, 1980.
2. The *Agricultural Societies Act*, being chapter 14 of the Revised Statutes of Ontario, 1980.
3. The *Agricultural Societies Amendment Act, 1982*, being chapter 51.
4. The *Horticultural Societies Act*, being chapter 204 of the Revised Statutes of Ontario, 1980.
5. The *Horticultural Societies Amendment Act, 1982*, being chapter 52.

43. Section 11a of the *Canadian National Exhibition Association Act, 1983*, being chapter Pr23, as enacted by the Statutes of Ontario, 1985, chapter Pr8, section 3, is repealed and the following substituted therefor:

Deemed
agricultural
society
1988, c. 60

11a.—(1) The Association shall be deemed to be an agricultural society organized under the *Agricultural and Horticultural Organizations Act, 1988*.

(2) Notwithstanding subsection (1), subsection 3 (2), sections 10, 11, 12, 13, 14, 15, 18, 19, 20, 26, 27, 29 and 32 of the *Agricultural and Horticultural Organizations Act, 1988* do not apply to the Association.

Non-application of certain provisions

(3) The *Corporations Information Act* applies to the Association.

R.S.O. 1980, c. 96 applies

44. This Act comes into force on the day it receives Royal Assent.

Commencement

45. The short title of this Act is the *Agricultural and Horticultural Organizations Act, 1988*.

Short title

CHAPTER 61

An Act respecting the Sale of Farm Implements

Assented to December 15th, 1988

CONTENTS

Section

1. Definitions
2. Application
3. Sales of farm implements

BOARD AND INSPECTORS

4. Ontario Farm Implements Board established
5. Powers and duties of Board

REGISTRATION OF DEALERS AND DISTRIBUTORS

6. Registration required
7. Refusal to register, revocation
8. Notice of decision to refuse or revoke
9. Further applications

SALE AGREEMENT

10. Form of agreement
11. Effective date of sale agreement

WARRANTIES

12. Warranty as to power
13. Implied warranty as to quality
14. Duration of warranties under ss.12 and 13
15. Implied warranty as to supply of repair parts
16. Implied warranty as to quality of repair parts
17. Additional warranties

Section

18. Liability for warranties

REPAIR PARTS

19. Definition of "emergency repair parts"
20. Return of defective repair part

FAILURE TO PERFORM

21. Definitions
22. Failure to perform

BUY-BACK PROVISIONS

23. Definitions
24. Notice to repurchase
25. Repurchase price
26. Time for payment
27. Repurchase not required
28. Responsibility for care
29. *Bulk Sales Act* does not apply
30. Distributor to furnish information

MISCELLANEOUS PROVISIONS

31. Alteration of serial number
32. Service of notice
33. Rights, etc., preserved
34. Offence and penalty
35. Regulations
36. Commencement
37. Short title

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"Board" means the Ontario Farm Implements Board established under section 4;

“chairperson” means the chairperson designated under subsection 4 (3);

“dealer” means a person who, in the ordinary course of business, offers farm implements for sale at retail;

“distributor” means a person, including a manufacturer, who, in the ordinary course of business, sells, consigns or delivers farm implements or parts to a dealer;

“effective date” means the date determined under section 11;

“farm implement” means any equipment or machinery designed and used for agricultural or horticultural use and includes attachments;

“Minister” means the Minister of Agriculture and Food;

“prescribed” means prescribed by the regulations made under this Act;

“purchaser” means a person, an association of individuals or a partnership who purchases a farm implement;

“sale agreement” means an agreement between a purchaser, other than a distributor, and a dealer for the sale of a new or used farm implement;

“trade-in” means a farm implement or other property that is purchased by the dealer under a trade-in arrangement;

“trade-in allowance” means the amount shown in a sale agreement as the amount accepted by the dealer as the value of a trade-in under a trade-in arrangement;

“trade-in arrangement” means an arrangement, whether contained in a sale agreement or made by a separate agreement in conjunction with a sale agreement, whereby the purchaser agrees to sell the purchaser’s own farm implement or other property to the dealer and the farm implement or other property is accepted as the whole or part of the consideration under the sale agreement;

“vice-chairperson” means the vice-chairperson designated under subsection 4 (3).

Application

2.—(1) This Act does not apply to the sale of a farm implement,

- (a) by a person in the ordinary course of farming operations;
- (b) by an executor or administrator; or
- (c) by a public official acting under judicial process.

(2) This Act does not apply to the sale of a farm implement with a manufacturer's suggested list price that is less than the prescribed amount. Idem

3.—(1) A dealer shall not sell or offer for sale a new farm implement unless it was obtained by the dealer from a distributor or another dealer registered under this Act. Sales of farm implements

(2) Subsection (1) does not apply with respect to a new farm implement that is in the dealer's possession before this Act comes into force. Transition

(3) A distributor shall not sell a new farm implement to any person except a dealer or another distributor registered under this Act. Sales by distributor

(4) An agreement between a distributor and a dealer respecting the purchase and sale of a farm implement shall be in writing and shall contain such information as may be prescribed. Agreement in writing

BOARD AND INSPECTORS

4.—(1) The Ontario Farm Implements Board is hereby established and shall consist of not less than seven members appointed by the Minister. Ontario Farm Implements Board established

(2) The composition of the Board shall be as prescribed. Composition

(3) The Minister may designate one of the members of the Board as chairperson and one of the members as vice-chairperson. Chairperson, vice-chairperson

(4) The chairperson of the Board shall have general supervision and direction over the conduct of the affairs of the Board and, in the absence of the chairperson or if he or she is unable to act, the vice-chairperson shall have all the powers of the chairperson. Chairperson to have supervision

(5) The members of the Board may be appointed to hold office for a term not exceeding three years and may be reappointed for a further term or terms, but no member shall hold Term of office

office for more than a total of six years, whether the member's appointments are for consecutive terms or not.

Remuneration
and expenses

(6) The members of the Board who are not public servants of Ontario shall be paid such remuneration and expenses as may be fixed by the Lieutenant Governor in Council.

Board
proceedings

(7) The Board may make rules for the conduct and management of its affairs and for the practice and procedure to be observed in matters before it, and may require that a person seeking a determination of a matter by the Board give written notice, in the form and manner that the Board specifies, to the persons that the Board specifies.

Powers and
duties of
Board

5.—(1) The Board may exercise the powers and shall perform the duties that are conferred or imposed upon it by or under this Act.

Incidental
powers

(2) Without limiting the generality of subsection (1), the Board has power,

- (a) to require the production of documents, records, reports or things that the Board considers necessary to permit it to investigate and consider any matter within its jurisdiction;
- (b) to accept such oral or written evidence as it in its discretion considers proper, whether admissible in a court of law or not;
- (c) on the request of a purchaser, dealer or distributor, to inquire into and resolve a dispute with respect to any matter arising from the application of this Act or the regulations;
- (d) to investigate claims regarding charges by dealers for repairs to farm implements; and
- (e) to make such inquiries and orders as are necessary to ensure that there is compliance with its decisions.

Mediator

(3) Where a request is made to the Board under clause (2) (c) or (d), the Board may appoint a mediator to resolve the dispute.

Hearing

(4) If the mediator is unable to resolve the dispute, any of the parties to the mediation may apply to the Board for a hearing.

(5) The Board shall decide the issue that is before it for a hearing and shall serve notice of the decision, together with written reasons, on the parties to the hearing.

Decision

(6) An appeal from a decision of the Board on a question of law may be made to the Divisional Court.

Appeal

(7) Subsections 8 (2) to (6), both inclusive, apply with necessary modifications to an appeal under subsection (6).

Application of s. 8 (2-6)

(8) The Board is responsible for ensuring compliance with,

(a) the prescribed safety standards for farm implement performance; and

Farm implement standards and safety

(b) the prescribed requirements for dealers respecting safety information and instruction to be given to purchasers on the sale of new farm implements.

(9) The Board may conduct research related to farm implement design, construction, performance and safety.

Research

(10) The Board may develop and co-ordinate or approve educational programs respecting farm implement safety and may promote participation in such programs.

Education

(11) The Board may work with manufacturers to encourage standardization of the design and operation of controls of farm implements manufactured for sale in Ontario.

Standardization

(12) Part I of the *Statutory Powers Procedure Act* applies to proceedings of the Board.

Application of R.S.O. 1980, c. 484

REGISTRATION OF DEALERS AND DISTRIBUTORS

6.—(1) No person shall carry on the business of a dealer or distributor unless the person is registered under this Act.

Registration required

(2) An applicant for registration or renewal of registration as a dealer or distributor is entitled to registration or renewal on submitting a completed application, together with the prescribed fee.

Entitlement to registration

(3) A registration is subject to such conditions to give effect to the purposes of this Act as are prescribed by the regulations.

Conditions of registration

7. Subject to section 8, the Board may refuse to grant or renew or may suspend or revoke a registration if the applicant

Refusal to register, revocation

is in breach of a condition of the registration or a provision of this Act or the regulations, or would be if registered.

Notice of
decision to
refuse or
revoke

8.—(1) If the Board decides to refuse to grant or renew a registration or decides to suspend or revoke a registration, it shall serve notice of its decision, together with written reasons, on the applicant or registrant.

Appeal to
Divisional
Court

(2) A notice under subsection (1) shall inform the applicant or registrant that he or she may appeal from the decision to the Divisional Court in accordance with the rules of court within fifteen days from the day on which the decision was served.

Certified
copies of
papers

(3) On the request of any person desiring to appeal, the chairperson shall furnish such person with a certified copy of all proceedings, evidence, reports and papers received in evidence by the Board in dealing with and disposing of the application.

Procedure
and record

(4) An appeal under this section shall be by motion, notice of which shall be served on the chairperson, and the record shall consist of a copy, certified by the chairperson, of the proceedings of the Board, the evidence taken, and the findings and decisions of the Board in the matter.

Orders

(5) Upon the hearing of an appeal under this section, the Divisional Court may make such order as it considers proper or may refer the matter back to the Board with such directions as the court considers proper.

Costs

(6) The Divisional Court may make such orders as to the costs of the appeal as the court considers proper.

Voluntary
cancellation

(7) Despite subsection (1), the Board may cancel a registration on the request in writing of the registrant.

Continuation
of registration
pending
renewal

(8) Where, within the time prescribed therefor or, if no time is prescribed, before expiry of the registration, a registrant has applied for renewal of the registration and paid the prescribed fee, the registration continues in force,

(a) until the renewal is granted; or

(b) where the registrant is served with notice of the Board's decision to refuse to grant the renewal, until the time for bringing an appeal has expired and until the matter is finally disposed of.

9. A further application for registration may be made upon new or other evidence or where it is clear that material circumstances have changed.

Further applications

SALE AGREEMENT

- 10.—(1) A sale agreement shall be in writing and shall, Form of agreement
- (a) subject to subsection (2), contain a description of the farm implement, including its serial and model number;
 - (b) show separately the purchase price,
 - (i) for each farm implement to which it relates, and
 - (ii) for each attachment to the farm implement if the attachment and the farm implement are not supplied by the same distributor;
 - (c) include a description of and the allowance for any trade-in;
 - (d) state the date of delivery to the purchaser;
 - (e) contain the name and address of the purchaser, dealer and distributor;
 - (f) in the case of a new farm implement, include a statement of the nature and duration of,
 - (i) the warranties provided under this Act, and
 - (ii) any additional or extended warranties;
 - (g) in the case of a used farm implement,
 - (i) include a statement of the nature and duration of all warranties given in connection with the farm implement and any exclusions from the warranties, or
 - (ii) if no warranty is given, include a statement to that effect; and
 - (h) contain such other information as may be prescribed.

Where
information
not available

(2) If the serial or model number of the farm implement is not available when the sale agreement is entered into, the dealer shall provide the information to the purchaser on or before delivery of the farm implement to the purchaser.

Warranty
separate from
sale
agreement

(3) Despite subclause (1) (f) (ii), an additional or extended warranty may be set out elsewhere than in the sale agreement if it identifies the farm implement to which it applies and is delivered to the purchaser on or before delivery of the farm implement.

Obligation of
dealer to
repair

(4) It is a condition of every sale agreement that the dealer shall, on receiving the distributor's authorization, perform any work on the farm implement or a repair part for the farm implement that is required by a warranty that the distributor is liable to honour under this Act.

Effective
date of sale
agreement

11.—(1) A sale agreement is not effective until the earlier of the date on which,

- (a) the agreement is signed by the purchaser and the dealer or the dealer's authorized agent and a copy of the agreement is delivered to the purchaser; or
- (b) the purchaser takes delivery of the farm implement under the agreement.

Copies of
sale
agreement

(2) A dealer shall keep a copy of a sale agreement for at least two years from its effective date.

WARRANTIES

Warranty as
to power

12.—(1) A sale agreement shall state,

- (a) in the case of a new tractor, its engine horsepower or power takeoff power; and
- (b) in the case of any other new farm implement that is or has an engine or motor, its engine horsepower,

as shown in the manufacturer's specifications.

Idem

(2) A farm implement is warranted to develop the power stated in the sale agreement if it is properly operated and maintained and used under reasonable operating conditions.

Implied
warranty as
to quality

13. On the sale of a new farm implement there is an implied warranty that the farm implement,

- (a) is properly constructed as to material, design and workmanship; and
- (b) will perform to manufacturer's specifications the work for which it is intended if it is properly operated and maintained and used under reasonable operating conditions.

14.—(1) The warranties provided under sections 12 (power) and 13 (quality) take effect on the date of delivery of the farm implement to the purchaser and continue for the following periods:

Duration of warranties under ss. 12 and 13

- 1. In the case of tractors, the lesser of one year or 1,000 hours of operation.
- 2. In the case of combines, the lesser of one year or 500 hours of operation.
- 3. In all other cases, one year.

(2) Except in the case of a *bona fide* exchange or repair of an hour meter, no person shall alter, adjust or permit any alteration or adjustment to the hour meter on a farm implement in the person's possession or control so as to cause the total number of hours indicated on the hour meter to be different from the total number of hours that the farm implement has been operated.

Alteration of hour meter prohibited

(3) A person who exchanges or repairs the hour meter on a farm implement, or another part of the farm implement that is directly related to the hour meter, shall make a record of the reading that was on the hour meter before the exchange or repair.

Exchange or repair of hour meter

15. On the sale of a new farm implement there is an implied warranty that a sufficient supply of repair parts for the farm implement will be available to the purchaser for a period of ten years from the effective date.

Implied warranty as to supply of repair parts

16.—(1) On the sale of a new repair part there is an implied warranty that the repair part will be free from defects in material or workmanship for a period of ninety days from the date of purchase or, if purchased out of the season of use, ninety days from the date it is first used by the purchaser in the next season of use.

Implied warranty as to quality of repair parts

(2) The warranty under subsection (1) applies only if the part is purchased from an authorized dealer and supplied by

Idem

the same distributor who supplied the farm implement for which the part is intended.

Additional warranties

17.—(1) A distributor or dealer may give a warranty in respect of a farm implement or a repair part that affords greater protection or that has a longer duration than the warranties under this Act.

No contracting out

(2) The warranties under this Act apply to a sale agreement despite an agreement or waiver to the contrary, and any such agreement or waiver is severable from the sale agreement.

Liability for warranties

18.—(1) The distributor of a new farm implement is liable to the purchaser to honour the warranties under sections 12 (power) and 13 (quality).

Idem

(2) The dealer and distributor of a new farm implement are jointly and severally liable to the purchaser to honour the warranty under section 15 (parts supply).

Idem

(3) The distributor who supplies a new repair part is liable to the purchaser to honour the warranty under section 16 (quality of parts).

Idem

(4) If a farm implement is damaged as a result of a breach of the warranty under section 16 (quality of parts), the distributor of the repair part is liable for the cost of repairing the farm implement.

Repairs under warranty

(5) A dealer or distributor making repairs to a farm implement under a warranty provided by this Act shall use new repair parts that are of the standard and size specified by the manufacturer for that farm implement, unless the purchaser and the distributor authorize in writing the use of different parts.

Recall of defective farm implements

(6) If a distributor is or should be aware that a significant percentage of farm implements sold by the distributor exhibit a common defect, the distributor shall notify purchasers of the defect and of the distributor's obligation to repair the defective farm implements.

Repair

(7) The distributor shall repair the defective farm implements at the distributor's expense, including any transportation costs.

REPAIR PARTS

Definition

19.—(1) In this section, "emergency repair parts" means parts required to repair a farm implement where the farm

implement breaks down during the season of use within ten years of the effective date and cannot be satisfactorily operated.

(2) Where a purchaser notifies in writing any dealer of the distributor of a farm implement that the farm implement requires emergency repair parts, the dealer shall forthwith order the emergency repair parts from the distributor.

Obligation of dealer

(3) Where a distributor receives an order under subsection (2), the distributor shall ensure that the parts are available at the dealer's place of business within three working days from the day the order was placed, unless delivery of the parts cannot be made within that time because of conditions beyond the distributor's control.

Obligation of distributor

(4) No price for emergency repair parts shall exceed the manufacturer's suggested list price, except that the dealer or distributor may add to the price,

Price of emergency repair parts

- (a) a service charge not exceeding the prescribed amount for each order for emergency repair parts; and
- (b) the amount of any costs reasonably incurred in supplying the emergency repair part to the purchaser.

(5) If, on receiving notice under subsection (2), the dealer fails to properly place an order for emergency repair parts, the dealer shall be liable to supply the purchaser with a satisfactory substitute farm implement, within three working days from the day notice was given, at one-half of the prescribed normal rental rate for that implement.

Provision of substitute

(6) If the dealer is unable to provide a satisfactory substitute farm implement, the dealer shall be liable to reimburse the purchaser one-half of the prescribed normal rental rate for a substitute farm implement rented from a third party.

Idem

(7) If, within the time specified under subsection (3), the distributor fails to provide the emergency repair parts, the distributor shall be liable to pay one-half of the prescribed normal rental rate for a substitute farm implement rented by the purchaser from the dealer or a third party.

Distributor's liability

(8) No person shall rent a farm implement to a purchaser in the circumstances mentioned in subsection (5) or (6) for more than the prescribed normal rental rate for that implement.

Offence

Return of
defective
repair part

20. Where a purchaser receives a replacement part under a warranty for a defective repair part of a farm implement, the purchaser shall return the defective repair part to the dealer who supplied the replacement part within ten days after it is replaced.

FAILURE TO PERFORM

Definitions

21.—(1) For the purposes of section 22,

“defective farm implement” means a farm implement in respect of which notice has been given under section 22;

“fair market value” means fair market value as of the date the sale agreement was made.

Determi-
nation of fair
market value

(2) For the purpose of determining the fair market value of a trade-in under subsection 22 (8) or (9), regard may be had to any publication of farm implement prices in general use in the farm implement industry in Canada.

Failure to
perform

22.—(1) If, within the twelve months following its delivery to the purchaser, a new farm implement that is properly operated and maintained and used under reasonable operating conditions fails to perform to the manufacturer's specifications during its first ten days or first 100 hours of actual use, whichever occurs first, the purchaser may give notice of the farm implement's failure to perform.

Notice

(2) The notice referred to in subsection (1) shall be given in writing as soon as possible after the failure occurs, and in any event within ten days of the failure,

(a) to the selling dealer; or

(b) if the selling dealer is no longer in business, to the Board,

and the dealer or the Board shall notify the distributor forthwith of the notice and its contents.

Repair

(3) The dealer or distributor shall endeavour to make the defective farm implement perform to the manufacturer's specifications within four working days after the dealer or distributor receives notice of the failure, or as soon as possible thereafter when reasonable operating conditions exist for the farm implement.

Substitute

(4) If the dealer or distributor fails to make the defective farm implement perform to the manufacturer's specifications,

the dealer or distributor shall forthwith provide the purchaser with a satisfactory substitute for the purchaser's use until the defective farm implement is made to perform to the manufacturer's specifications or is replaced or until the sale agreement is terminated under clause (5) (b).

(5) If, within fourteen working days after providing the substitute farm implement to the purchaser, the dealer or distributor fails to make the defective farm implement perform to the manufacturer's specifications,

Replacement
or
termination

- (a) the distributor shall replace the defective farm implement with a farm implement that is satisfactory to the purchaser; or
- (b) the dealer shall terminate the sale agreement in so far as it relates to the defective farm implement.

(6) Subject to subsections (7), (8) and (9), when a sale agreement is terminated under clause (5) (b),

Refund and
return of
trade-in

- (a) the distributor shall refund to the purchaser through the dealer the amount remitted to the distributor for the defective farm implement; and
- (b) the dealer shall refund to the purchaser the balance of the amount paid for the defective farm implement and shall return any trade-in made in connection with the sale.

(7) The dealer or distributor may deduct from the amount owing to the purchaser,

Deduction
for repairs
to trade-in

- (a) the reasonable costs of repairing or reconditioning the trade-in that were incurred before the termination of the sale agreement; and
- (b) a reasonable amount of compensation for the actual use of the farm implement by the purchaser.

(8) If the dealer does not return the trade-in, the dealer shall pay to the purchaser an amount equal to the fair market value of the trade-in.

Where
trade-in
not returned

(9) If the defective farm implement was purchased under a sale agreement that relates to more than one farm implement and includes a trade-in arrangement, the dealer or distributor may, unless the purchaser agrees otherwise,

Sale
agreement
for more
than one
farm
implement

- (a) keep the trade-in and pay to the purchaser an amount of money that bears the same proportion to the fair market value of the trade-in as the purchase price of the defective farm implement bears to the total purchase price of all the farm implements purchased under the agreement; or
- (b) return the trade-in and refund to the purchaser the part of the total purchase price that was paid in respect of the defective farm implement.

Obligations
re financing
agreement

(10) If the purchase of the defective farm implement is financed in whole or in part through a financing agreement with a third party and the sale agreement relating to it is terminated under clause (5) (b), the distributor shall be liable,

- (a) to satisfy the payment obligations under the financing agreement that relate to the defective farm implement, including any penalty for accelerated payment; and
- (b) to discharge any registrations against the farm implement or against the purchaser in connection with that farm implement under the *Bank Act* (Canada), the *Personal Property Security Act* and the *Corporation Securities Registration Act*.

1980-81,
c. 40 (Can.)
R.S.O. 1980,
cc. 375, 94

BUY-BACK PROVISIONS

Definitions

23.—(1) For the purposes of sections 24 to 30,

“agreement” means an agreement between a dealer and a distributor under which the dealer is required by the distributor to maintain an inventory of new farm implements and parts supplied by the distributor;

“current net price” means the price listed in the distributor’s price list or catalogue in effect at the time the agreement is terminated;

“invoice price” means the price actually paid by the dealer for the new farm implement and, in respect of a new farm implement that has been rented pursuant to a written rental program approved by the distributor, means the price actually paid by the dealer for the new farm implement less the amount of any rental payments submitted to the distributor;

“new farm implement” means a farm implement that is not a used farm implement and includes,

- (a) a farm implement that has been operated by or on behalf of a dealer pursuant to a written demonstration program sponsored by the distributor, and
- (b) a farm implement that has been rented pursuant to a written rental program approved by the distributor;

“new part” means a part or parts assembly that has not been used and has not been removed from a complete farm implement;

“used farm implement” means a farm implement that has been operated for a distance or for a period of time in excess of that required to deliver it to the dealer and to enable the dealer to service, prepare and operate it for the purposes of sale.

(2) Sections 24 to 30 apply to an agreement that is in effect on or after the day this Act comes into force. Application

(3) Subject to subsection (4), sections 24 to 30 apply to an agreement despite any agreement or waiver to the contrary. No contracting out

(4) A distributor and a dealer may agree in writing to repurchase terms that are more favourable to the dealer than the provisions of sections 24 to 30. Exception

24.—(1) Within ninety days after an agreement has expired or is terminated, a dealer may by written notice require the distributor to repurchase all or any new farm implements and new parts supplied by the distributor under the agreement. Notice to repurchase

(2) The notice to repurchase shall state whether the dealer intends to rely on, Election

- (a) the provisions of this section and sections 25 to 30; or
- (b) the terms of an agreement with the distributor under subsection 23 (4).

(3) If the dealer fails to make the election under subsection (2), the dealer shall be deemed to have elected to rely on the provisions of this section and sections 25 to 30. Where no election made

25.—(1) The distributor shall pay a repurchase amount to the dealer equal to, Repurchase price

- (a) 100 per cent of the invoice price for each new farm implement; and
- (b) 85 per cent of the current net price for each new part,

plus transportation costs paid by the dealer for delivery of the new farm implement to the dealer's place of business.

Other amounts owing

(2) In addition to the amount payable under subsection (1), the distributor shall pay any other amount owing to the dealer by the distributor.

Time for payment

26.—(1) The repurchase amount payable to the dealer by the distributor is due on the earlier of,

- (a) the ninety-first day after the distributor receives the notice of repurchase; and
- (b) the thirtieth day after the distributor takes possession of the new farm implements and parts that are the subject of the notice.

Interest

(2) Interest at the prescribed rate shall be payable on any part of the repurchase amount that is unpaid after the due date.

Extension of time

(3) The dealer and distributor may agree to extend the time for payment.

Set-off

(4) A distributor may deduct from the repurchase amount any amount owing to the distributor by the dealer.

Deduction for missing part, etc.

(5) A distributor may deduct from the repurchase amount the current net price, including a reasonable installation charge, for the replacement of any part of a new farm implement that is missing or damaged.

Repurchase not required

27. A distributor is not required to repurchase,

- (a) a new part that is broken or damaged;
- (b) a new parts assembly that is incomplete and cannot be completed at reasonable expense;
- (c) a new part or parts assembly that has been removed from a farm implement and replaced at no cost to the dealer under a modification or warranty substitution program;

- (d) a new part that is a seal or hose made of rubber, a gasket made of cork or a composition of materials, a seal made of leather, a liquid chemical that has deteriorated and is of limited use, or paint;
- (e) a new part that is not clearly identified, or that is not resaleable as a new part without repackaging or reconditioning;
- (f) a new part that is not listed in the distributor's current parts record-keeping system;
- (g) a new farm implement that is an attachment that,
 - (i) is not identifiable by a whole goods' invoice,
 - (ii) is not resaleable as a new attachment without repackaging or reconditioning, or
 - (iii) does not fit a current new farm implement;
- (h) a new farm implement or new part that has not been adequately prepared for shipment by the dealer within the ninety day period or extension of that period referred to in subsection 28 (2);
- (i) a new farm implement that was shipped to the dealer more than thirty-six months before the distributor receives the notice of repurchase.

28.—(1) The dealer is responsible for the care of a new farm implement or new part until the earlier of, Responsibility for care

- (a) the ninety-first day after the distributor receives the notice to repurchase; and
- (b) the day the distributor takes possession of the new farm implements and new parts,

and thereafter the distributor is responsible.

(2) Despite clause (1) (a), the dealer and distributor may agree to extend the time during which the dealer is responsible. Extension of time

(3) The dealer is responsible for preparing or packaging all new farm implements and all new parts so that they are acceptable by a carrier for shipment at the distributor's expense from the dealer's place of business. Preparing implements and parts for shipment

R S O 1980,
c. 52 does
not apply

29. The *Bulk Sales Act* does not apply to a sale to a distributor under section 24.

Distributor
to furnish
information

30. A distributor shall provide to the Board, on request, copies of agreements in effect between the distributor and the dealer respecting the supply or return of new farm implements or new parts.

MISCELLANEOUS PROVISIONS

Alteration of
serial number

31.—(1) No person shall,

- (a) alter or remove the serial number on a farm implement; or
- (b) buy, sell or otherwise deal in a farm implement if the serial number has been altered or removed, unless authorized to do so by the Board.

Obligation of
dealer

(2) Subject to subsection 10 (2), no dealer shall sell or offer for sale a new farm implement unless the serial number is stamped on the implement or affixed thereto.

Idem.

(3) No dealer shall sell or offer for sale a farm implement,

- (a) unless the farm implement complies with the prescribed safety standards; and
- (b) unless the dealer provides the purchaser with a statement that indicates compliance with the prescribed safety standards.

Service of
notice

32.—(1) A notice required to be given to a dealer or distributor may be served personally or sent by registered mail to the address of the dealer or distributor as shown in the records of the Board.

Deemed
receipt

(2) A notice that is sent by registered mail shall be deemed to have been received on the fifth day after it is mailed.

Rights, etc.,
preserved

33. The rights, duties and remedies provided by this Act are in addition to the rights, duties and remedies under any other Act and the common law.

Offence and
penalty

34.—(1) Every person and every officer or director of a corporation who contravenes a provision of this Act or the regulations is guilty of an offence and on conviction is liable to a fine of not more than \$10,000.

(2) Where a corporation is convicted of an offence under subsection (1), the maximum penalty that may be imposed on the corporation is \$25,000. Corporations

35. Subject to the approval of the Lieutenant Governor in Council, the Board may make regulations, Regulations

- (a) exempting a farm implement or a class of farm implements from any provision of this Act or the regulations;
- (b) prescribing, for the purposes of section 2, the amount that the manufacturer's suggested list price of a farm implement must equal or exceed;
- (c) prescribing information to be included in agreements referred to in subsection 3 (4);
- (d) prescribing forms and providing for their use;
- (e) prescribing the composition of the Board;
- (f) governing applications for registration or renewal of registration and prescribing conditions of registration;
- (g) requiring the payment of fees of an application for registration or renewal of registration and prescribing the amount of the fees;
- (h) prescribing information to be included in sale agreements;
- (i) requiring dealers and distributors to provide to the Board prescribed information respecting their business operations and prescribing the times at which the information is to be provided and the form in which it is to be provided;
- (j) regulating the provision of emergency parts for farm implements, including imposing duties on distributors and dealers;
- (k) prescribing normal rental rates for the purposes of section 19;
- (l) prescribing, for the purposes of subsection 19 (4), the maximum amount of the service charge payable in respect of an order for emergency repair parts;

- (m) fixing the rate of interest for the purposes of subsection 26 (2);
- (n) regulating or prohibiting the installation or use of any farm implement, part or device or any class thereof;
- (o) requiring that any farm implement or part bear the seal of approval of an organization designated by the regulations to test and approve the farm implement or part, and designating organizations for such purposes;
- (p) prescribing safety standards for farm implement performance;
- (q) prescribing standards for dealers respecting safety information and instruction to be given to purchasers on the sale of a farm implement;
- (r) adopting by reference, in whole or in part, with such changes as the Board considers necessary, any code or standard and requiring compliance with any code or standard that is so adopted.

Commence-
ment

36. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

37. The short title of this Act is the *Farm Implements Act, 1988*.

CHAPTER 62

An Act respecting the Protection of Farm Practices

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“agricultural operation” means an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward, and includes,

- (a) the cultivation of land,
- (b) the raising of live stock, including poultry,
- (c) the raising of fur-bearing animals and game birds,
- (d) the production of agricultural crops, including mushrooms, greenhouse crops and nursery stock,
- (e) the production of eggs and milk,
- (f) the operation of agricultural machinery and equipment, including irrigation pumps,
- (g) the process necessary to prepare a farm product for distribution from the farm gate,
- (h) the application of fertilizers, conditioners and pesticides, including ground and aerial spraying, and
- (i) the storage, disposal or use of organic wastes for farm purposes;

“Board” means the Farm Practices Protection Board established under section 3;

“land use control law” means any Act and any regulation, plan or by-law made under the authority of an Act that restricts or prescribes the use to which land or premises

may be put or the nature of business or activities that may be carried on on any land or premises;

“Minister” means the Minister of Agriculture and Food;

“normal farm practice” means a practice that is conducted in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations under similar circumstances and includes the use of innovative technology used with advanced management practices;

“person” includes an unincorporated association.

Protection
from
nuisance
claims

2.—(1) A person who carries on an agricultural operation and who, in respect of that agricultural operation, does not violate,

(a) any land use control law;

R.S.O. 1980,
c. 141

(b) the *Environmental Protection Act*;

R.S.O. 1980,
c. 376

(c) the *Pesticides Act*;

1983, c. 10

(d) the *Health Protection and Promotion Act, 1983*; or

R.S.O. 1980,
c. 361

(e) the *Ontario Water Resources Act*,

is not liable in nuisance to any person for any odour, noise or dust resulting from the agricultural operation as a result of a normal farm practice and shall not be prevented by injunction or other order of a court from carrying on the agricultural operation because it causes or creates an odour, a noise or dust.

Where
subsection
(1) does not
apply

(2) Subsection (1) does not apply to an owner or operator of an agricultural operation that fails to obey an order of the Board made under clause 5 (3) (b).

Farm
Practices
Protection
Board

3.—(1) The Farm Practices Protection Board is hereby established and shall consist of not less than five members appointed by the Minister.

Chairperson
of Board

(2) The Minister may designate one of the members of the Board as chairperson and one or more of the remaining members as vice-chairperson.

Duties of
chairperson

(3) The chairperson of the Board is responsible for the general supervision and direction over the conduct of the affairs of the Board and, in his or her absence or if he or she is

unable to act, the vice-chairperson shall have all the powers of the chairperson.

(4) The members of the Board may be appointed to hold office for a term not exceeding three years and may be reappointed, but no member shall hold office for more than six years, whether the member's appointments are for consecutive terms or not.

Term

(5) The members of the Board who are not public servants of Ontario shall be paid such remuneration and expenses as the Lieutenant Governor in Council determines.

Remuneration

(6) The Board may, subject to the *Statutory Powers Procedure Act*, make rules for the conduct and management of its affairs and for the practice and procedure to be observed in matters before it, and may require that a person seeking a determination of a matter by the Board shall give written notice, in such form and manner as the Board specifies, to the persons that the Board specifies.

Procedures
R.S.O. 1980,
c. 484

(7) The chairperson or vice-chairperson and two other members constitute a quorum and are sufficient for the exercise of all of the jurisdiction and powers of the Board.

Quorum

4.—(1) The Board may exercise such powers and shall perform such duties as are conferred or imposed upon it by or under this Act including the power,

Duties and
powers of
Board

- (a) on the request of an aggrieved person, to inquire into and resolve a dispute respecting an agricultural operation including the determination as to what constitutes a normal farm practice; and
- (b) to make such inquiries and orders as are necessary to ensure that there is compliance with its decisions.

(2) The Board shall provide the Minister with any information requested by the Minister as to the policies, procedures and operations of the Board.

Information
to be made
available to
Minister

(3) The Minister may order the Board to study any matter related to farm practices and the Board shall conduct the study and report its findings and recommendations to the Minister.

Board to
conduct
studies

5.—(1) Where a person is aggrieved by any odour, noise or dust resulting from an agricultural operation, the person may apply in writing to the Board for a determination as to

Complaints
re: farm
practices

whether the odour, noise or dust results from a normal farm practice.

Form of
application

(2) Every application under subsection (1) shall contain a statement of the nature of the complaint, the name and address of the person making the application and the name and address of the agricultural operation and shall be in a form acceptable to the Board.

Hearing and
order

(3) The Board shall hold a hearing and shall,

- (a) dismiss the complaint if the Board is of the opinion that the odour, noise or dust results from a normal farm practice; or
- (b) order the owner or operator of the agricultural operation to cease the practice causing the odour, noise or dust if it is not a normal farm practice or to modify the practice in the manner set out in the order to be consistent with normal farm practice.

Refusal to
hear
application

(4) The Board may refuse to hear an application or, after a hearing has commenced, refuse to continue the hearing or to make a decision if in its opinion,

- (a) the subject-matter of the application is trivial;
- (b) the application is frivolous or vexatious or is not made in good faith; or
- (c) the applicant has not a sufficient personal interest in the subject-matter of the application.

Appeal

(5) Any party to a hearing under subsection (3) may appeal an order of the Board on any question of fact or law or both to the Divisional Court within thirty days of the making of the order.

Professional
assistance

(6) The Board may appoint one or more persons having technical or special knowledge of any matter to assist the Board in any capacity in respect of any matter before it.

Injunction
proceedings
in abeyance

6.—(1) Where a farm practice is the subject of an application made under subsection 5 (1), no injunction proceedings may be commenced or continued in respect of that farm practice until the Board has made an order or dismissed the application under subsection 5 (3) or has refused to hear the application.

(2) Subsection (1) does not apply to any proceedings taken under the *Environmental Protection Act*, the *Pesticides Act* or the *Ontario Water Resources Act*.

Exception
R.S.O. 1980,
cc. 141, 376,
361

7. The Lieutenant Governor in Council may make regulations,

Regulations

- (a) prescribing forms and providing for their use;
- (b) prescribing fees payable in respect of an application made under subsection 5 (1) and authorizing refunds;
- (c) prescribing the composition of the Board.

8. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

9. The short title of this Act is the *Farm Practices Protection Act, 1988*.

Short title

CHAPTER 63

**An Act to amend the
Ontario Highway Transport Board Act**

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clauses 1 (c) and (d) of the *Ontario Highway Transport Board Act*, being chapter 338 of the Revised Statutes of Ontario, 1980, are repealed.

2. Section 2 of the said Act is amended by adding thereto the following subsection:

(3) The members shall receive such remuneration and expenses as the Lieutenant Governor in Council determines. Remuneration

3. Section 16 of the said Act is amended by inserting after "application" in the second line "with respect to matters arising under the *Public Commercial Vehicles Act* or the *Public Vehicles Act*".

4. The said Act is amended by adding thereto the following sections:

16a.—(1) The Board may, if it considers it appropriate to do so, or shall, on the direction of the Minister or the Lieutenant Governor in Council, rehear any application or reconsider any decision, order, declaration or ruling made by it under the *Truck Transportation Act*, 1988. Review re
1988, c. 64

(2) After a rehearing or reconsideration under subsection (1), the Board may amend, revoke or confirm the decision, order, declaration or ruling. Idem

(3) The powers of the Board under this section and section 16 are concurrent with the powers of the Minister related to the suspension and cancellation of operating licences. Concurrent
powers

Appeal to
Board

16b.—(1) Any person objecting to a decision of the Board,

1988, c. 64

(a) made as a result of a hearing under the *Truck Transportation Act, 1988* to conduct a public interest test; or

(b) made under this Act,

may, with the consent of the Board, appeal the decision.

Idem

(2) Where the grounds for an appeal under subsection (1) are that new facts have arisen since the hearing or that the decision was based on an error of fact, the appeal shall be heard by the same members who made the original decision.

Idem

(3) Where the grounds for an appeal are other than those set out in subsection (2), the appeal shall be heard by members who were not involved in the original decision.

Interim
licence

(4) The Board, when it consents to an appeal under subsection (1), may recommend that the Minister grant an interim operating licence that is valid until the final disposition of the appeal.

Reviewing
operations
and conduct

16c.—(1) The Board may, with the prior approval of the Minister, if it considers it appropriate to do so, or shall, on the direction of the Minister, hold a hearing,

R.S.O. 1980,
c. 198

(a) into the operation of any transportation service conducted by means of commercial motor vehicles, within the meaning of section 15a of the *Highway Traffic Act*; or

(b) into the conduct of any holder of a Commercial Vehicle Operator's Registration Certificate,

to determine whether the operation or conduct,

R.S.C. 1970,
c. M-14

(c) contravenes the provisions of the *Truck Transportation Act, 1988*, *Motor Vehicle Transport Act* (Canada) or the regulations thereunder; or

(d) constitutes a persistent breach of contracts between the provider of the service or certificate holder and shippers.

Order by
Board

(2) When, after a hearing under subsection (1), the Board determines that there has been a contravention, it may order,

- (a) that the operation of the transportation service in the manner that caused the contravention stop;
- (b) that the conduct of the holder of the Commercial Vehicle Operator's Registration Certificate that constituted the contravention stop; or
- (c) if the operator of the transportation service is the holder of an operating licence, that the licence be amended to expire upon a specified date.

(3) Subsection (2) does not apply where the hearing is the result of a direction by the Minister if, at the time of the direction, the Minister also directed the Board to report its findings to the Registrar of Motor Vehicles.

Report to Registrar

16d. The Board shall give the Minister thirty days notice of every hearing under section 16a.

Notice to Minister

5. Subsection 19 (3) of the said Act is amended by striking out "under the *Public Vehicles Act* or the *Public Commercial Vehicles Act*" in the fourth and fifth lines.

6. Section 22 of the said Act is amended by inserting after "Board" in the fourth line "in respect of a matter arising under the *Public Vehicles Act* or the *Public Commercial Vehicles Act*".

7. Section 25 of the said Act is amended by adding thereto the following subsections:

(1a) Subject to regulations made under subsection (1), the Board may determine its own practice and procedure.

Idem

(1b) The Board may appoint from time to time one or more persons who may be called by the Board to give evidence of opinion and fact, subject to cross-examination, before the Board to assist it during the hearing of any matter.

Expert evidence

8. Section 26 of the said Act is amended by adding thereto the following subsection:

(2) The Board may order any parties to a hearing before it to pay the costs of any of the other parties involved or may make any other order with respect to costs that under all the circumstances it considers just.

Costs

Commence-
ment

9. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

10. The short title of this Act is the *Ontario Highway Transport Board Amendment Act, 1988*.

CHAPTER 64

An Act to regulate Truck Transportation

Assented to December 15th, 1988

CONTENTS

Section	Section
1. Definitions	24. Investigation
2. Purpose	25. Copies
3. Operating licence required to transport goods for compensation	26. Cancellation or amendment of certificate
4. Registrar to issue licences	27. Cancellation of licence
5. Licence not transferable	28. Notice of proposal to cancel, etc.
6. Requirements for licence	29. Refusing or withdrawing privileges
7. Notice of intention to issue licence	30. Referral to Board
8. Temporary licence	31. Confidentiality
9. Public interest test	32. Cancellation of licence by Registrar
10. Matters considered in public interest test	33. Penalty
11. Certificate of intercorporate exemption	34. Licensee vicariously liable
12. Notification of change—re intercorporate exemption	35. Consent to prosecute
13. Trip permit	36. Advisory Committee on Truck Transportation
14. Commercial zones	37. Policy statements
15. Prohibited service	38. Ministerial directions to investigate
16. Certificate of competency required	39. Where <i>Ontario Highway Transport Board Act</i> does not apply
17. Licence to be carried	40. One valid licence only
18. Publishing tariffs	41. Regulations
19. Bill of lading	42. Transition
20. Insurance	43. Repeal
21. Direction to stop	44. Commencement
22. Examination by officer	45. Short title
23. Examination of records	

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this Act,

Definitions

“Board” means the Ontario Highway Transport Board;

“commercial motor vehicle” means a motor vehicle with a permanently attached truck or delivery body and includes a

truck tractor used for hauling purposes, but does not include an ambulance, hearse, casket wagon, fire apparatus, bus or motor vehicle commonly known as a tow truck when the tow truck is being used as a tow truck;

“commercial vehicle” means,

- (a) a commercial motor vehicle or a combination of a commercial motor vehicle and trailer or trailers as defined in the *Highway Traffic Act*,
- (b) a dual-purpose vehicle or a combination of a dual-purpose vehicle and a trailer as defined in the *Highway Traffic Act*, or
- (c) the combination of a motor vehicle, as defined in the *Highway Traffic Act*, drawing a trailer or trailers, as defined in that Act;

R.S.O. 1980,
c. 198

“Committee” means the Advisory Committee on Truck Transportation;

“compensation” includes any rate, remuneration, reimbursement or reward of any kind paid, payable or promised, or received or demanded, directly or indirectly;

“dual-purpose vehicle” means a motor vehicle, other than one commonly known as a passenger car, designed by the manufacturer for the transportation of persons and goods;

“goods” includes all classes of materials, wares and merchandise and live stock;

“highway” means a highway as defined in the *Highway Traffic Act*;

“implementation date” means the day subsection 3 (1) is proclaimed to be in force;

“licensee” means the holder of an operating licence issued under this Act;

“Minister” means the Minister of Transportation;

“Ministry” means the Ministry of Transportation;

“officer” means a member of the Ontario Provincial Police Force or an officer of the Ministry designated in writing by the Minister to assist in the enforcement of this Act;

“operate” means to cause to be driven on a highway and
 “operated” has a corresponding meaning;

“operating authority” means a specific authority to operate
 that is contained within an operating licence;

“operating licence” means an operating licence issued under
 this Act containing one or more operating authorities;

“owner” means the person in whose name the vehicle portion
 of a permit is issued for a motor vehicle under the *Highway
 Traffic Act*; R.S.O. 1980,
c. 198

“prescribed” means prescribed by the regulations;

“public truck” means a commercial motor vehicle or the com-
 bination of a commercial motor vehicle and trailer or trail-
 ers drawn by it, operated by the holder of an operating
 licence;

“Registrar” means the Registrar of Motor Vehicles appointed
 under the *Highway Traffic Act*;

“regulations” means the regulations made under this Act;

“road construction materials” means rubble carried to or from
 a construction or demolition site and 01 928—animal or
 poultry manure, 10—metallic ores, 14 1—dimension stone,
 quarry, 14 2—crushed or broken stone or riprap,
 14 41—gravel or sand, excluding abrasive, 14 51—clay,
 ceramic or refractory minerals, crude, 14 714—apatite or
 phosphate rock, clay or sand, crude, excluding ground or
 otherwise treated, 14 715—rock salt, crude, crushed, lump
 or screened, excluding sodium chloride (common salt),
 14 719—chemical or fertilizer minerals, not elsewhere clas-
 sified, excluding ground or otherwise treated, 14 919—non
 metallic minerals, not elsewhere classified, loam, soil or
 topsoil, not elsewhere classified, excluding ground or other-
 wise treated at mine site or fuels, 28 126 32—calcium chlo-
 ride, liquid, 28 126 33—calcium chloride, other than liquid,
 28 181 70—urea, other than liquor or liquid, 28 71—
 fertilizers excluding milled, mined or otherwise prepared,
 natural boron, sodium or potassium compounds,
 28 991—salt, common, 29 116—asphalt pitches or tars,
 petroleum, coal tar, coke oven or natural gas,
 29 511 40—composition, paving, consisting of sand, slag or
 stone and asphalt, pitch or tar combined, 29 511
 45—paving composition, consisting of stone, granulated
 cork and asphalt, 32 952 15—cinders, clay, shale (expanded
 shale), slate or volcanic (not pumice stone) or haydite,

32 952 53—slag, basic (cementitious), ground or pulverized,
 32 952 60—slag, basic (phosphate), ground or pulverized,
 32 952 78—slag, furnace, crushed, expanded, granulated,
 ground or pulverized, viz, aluminum, antimony (refuse
 from antimony ore), brass, copper, detinning (refuse
 derived from detinning process), ferro silicon (flue slag
 from ferro-silicon or silicon metal production furnaces),
 iron, iron-titanium (iron titanium bearing slag), lead, mag-
 nesium, nickel, tin or zinc, 32 952 91—slag, nec, crushed,
 granulated, ground or pulverized, without commercial
 value for the further extraction of metal, 33 112—furnace
 slag, excluding ground or otherwise treated;

“STCC” means the Standard Transportation Commodity
 Code Tariff 6001-O, as amended effective the 1st day of
 July, 1987, filed with the National Transportation Agency;

“STCC number” means a number in STCC representing the
 goods or materials classified under that number;

“toll” means any fee or rate charged, levied or collected for
 the transportation of goods in or on a public truck.

Idem

(2) Where, in this Act or the regulations, a reference to
 goods or materials is preceded by a STCC number, the goods
 or materials referred to are those indicated in the STCC by
 reference to that number.

Purpose

2. It is hereby declared that an effective goods movement
 system by highway is essential to advance the interests of the
 users of transportation and to maintain the economic well-
 being and growth of Ontario and that these objectives are to
 be achieved by the regulatory scheme established by this Act
 which is to be interpreted so as to advance the objective that
 the system will,

- (a) foster productive, fair and innovative competition
 and the existence of a dependable and viable truck-
 ing industry in furtherance of the public interest;
 and
- (b) be of benefit to the users of transportation services
 and not for the protection from competition of indi-
 vidual providers of such services.

Operating
 licence
 required to
 transport
 goods for
 compensation

3. —(1) No person shall operate a commercial vehicle to
 carry goods of any other person for compensation unless it is
 done,

- (a) under an operating licence held by the person operating the vehicle; and
- (b) pursuant to the licence.

(2) Every operating licence authorizes the holder thereof to carry 01 928 1—unprepared manure from animal, bird, dog, fowl, goat, sheep or guano, 14 719—chemical or fertilizer minerals, not elsewhere classified in STCC, 28 181 70—urea, other than liquid and 28 71—fertilizers in bulk to or from any point within Ontario during April, May and June in a commercial vehicle that is not a tank vehicle.

General
authority

(3) An operating licence that is an owner-driver or single-source operating authority authorizes the operation of a commercial vehicle to carry goods for compensation only when a notice of the contract under which the particular vehicle is being operated has been filed with the Ministry as prescribed.

Owner-driver
licence,
single-source
licence
limitations

(4) Subsection (1) does not apply to prohibit the carriage of,

Exception

- (a) goods solely within a commercial zone designated under section 14 or an urban municipality;
- (b) fresh fruit and fresh vegetables grown in continental United States of America or Mexico;
- (c) goods used on farms and farm products that are 01 1—field crops, 01 2—fresh fruits or tree nuts, 01 3—fresh vegetables, 01 91—horticultural specialties, 01 99—farm products, not elsewhere classified in STCC, 01 41—live stock and 01 92—animal specialties that are carried in a commercial motor vehicle equipped with not more than three axles that does not draw a trailer;
- (d) 01 421 10—milk, fresh, unprocessed and 20 261—bulk fluid milk, skim milk or cream carried on behalf of The Ontario Milk Marketing Board;
- (e) wheat by a person appointed to act as agent for the Ontario Wheat Producers' Marketing Board where the wheat is being carried from the agent's premises in a commercial vehicle registered in the agent's name;
- (f) ready mixed concrete;

- (g) 24 1—primary forest or raw wood materials that are the products of the forest from which they are being carried;
- (h) goods carried by an operator of a commercial vehicle if the goods have been sold, bought, produced, transformed or repaired by, or have been lent, borrowed, given or leased by, the operator as an integral part of the operator's primary business which business is not the operation of public trucks;
- (i) goods in a bus being operated under the authority of an operating licence issued under the *Public Vehicles Act*; or
- (j) goods in a commercial vehicle within eighteen months after the implementation date, where the carriage would have been exempt under the *Public Commercial Vehicles Act*.

R.S.O. 1980,
c. 407

Idem,
certificate of
intercor-
porate
exemption

(5) Subsection (1) does not apply to a holder of a certificate of intercorporate exemption or any affiliated corporation named in the certificate carrying goods owned by any of them pursuant to the certificate.

Idem, trip
permit

(6) Subsection (1) does not apply to the holder of a trip permit operating the commercial vehicle specified therein in accordance with the permit.

Transpor-
tation for
compensation

(7) Where goods are carried in a commercial vehicle that is not owned by the owner of the goods and compensation is received for the use of the vehicle other than in accordance with a lease of the vehicle, the goods shall be deemed to be carried for compensation.

Operating
within
subs. (1)

(8) Where an intermediary, such as a freight forwarder, based in Ontario arranges the transportation of goods of others for compensation, on a highway, destined beyond an urban municipality, except where the intermediary is acting on behalf of a consignor or consignee for a pre-arranged fixed fee for the services, the intermediary is operating a commercial vehicle to carry goods of others for compensation within the meaning of subsection (1).

Exception

(9) Subsection (8) does not apply where the arranging of transportation on a highway is merely incidental to the primary business of an intermediary such as a customs brokerage or other business prescribed by regulation.

(10) Where goods are carried in a commercial vehicle that is leased by the owner of the goods but the lessor of the vehicle, directly or indirectly, ^{Idem}

- (a) engages or pays the driver of the vehicle;
- (b) exercises control over the driver of the vehicle in the course of his employment as driver; or
- (c) assumes responsibility for the goods,

the goods shall be deemed to be carried for compensation.

(11) For the purpose of this section, "lease" means a written agreement setting out fully and accurately all provisions under which the vehicle is leased and giving the lessee exclusive possession and control over the vehicle throughout the entire term of the agreement. ^{Definition. lease}

(12) Every person who contravenes subsection (1) is guilty of an offence and, ^{Offence}

- (a) on the first conviction, is liable to a fine of not less than \$250 and not more than \$5,000; and
- (b) on each subsequent conviction, is liable to a fine of not less than \$500 and not more than \$5,000.

(13) For the purposes of subsection (12), a conviction that occurs more than five years after a previous conviction is not a subsequent conviction. ^{Idem}

4.—(1) Operating licences shall be issued by the Registrar in accordance with this Act and the regulations. ^{Registrar to issue licences}

(2) The Registrar may issue an operating licence containing a class of operating authority that is, ^{Special licences}

- (a) a single-source authority authorizing the licensee to provide,
 - (i) commercial vehicles of which the licensee is the owner or lessee, and
 - (ii) drivers for the vehicles referred to in sub-clause (i),

under one or more contracts; or

- (b) an owner-driver authority authorizing the licensee to provide,
 - (i) one commercial vehicle of which the licensee is the owner or lessee, and
 - (ii) a driver for the vehicle referred to in sub-clause (i),

under one contract at any given time.

Limit on
authorities

- (3) No person shall hold,
 - (a) more than one owner-driver authority at the same time; or
 - (b) an owner-driver authority and a single-source authority other than a single-source authority granted under section 8.

Special
authority

(4) The Registrar, where it is in the public interest to do so, may grant a special authority to any licensee which, for the purpose of subsection 3 (1), shall be deemed to be part of that licensee's operating licence, subject to the conditions set out in the special authority, for seven days or such shorter time as is set out in the special authority.

Subject to
limitations

(5) When granting an operating authority, when there has been a public interest test hearing conducted by the Board wherein the issue of provincial interest has been raised under subsection 9 (5), the Registrar shall make the authority subject to such provisions and limitations as are recommended by the Board, but in no other circumstances may the Registrar make an authority subject to provisions and limitations other than as prescribed.

Exception

(6) Provisions or limitations imposed under subsection (5) shall not serve to limit the number of commercial vehicles operated under an operating authority except where the authority is,

- (a) a single-source authority;
- (b) an owner-driver authority;
- (c) granted after a hearing conducting a public interest test; or
- (d) for the carriage of road construction materials,

and shall not be inconsistent with any provision in this Act or the regulations.

- (7) The Registrar,

Vehicle certificates limiting number of vehicles

(a) when granting an operating authority limiting the number of vehicles that may be operated under the authority; or

(b) with respect to the holder of an operating authority for carriage of road construction materials issued under the *Public Commercial Vehicles Act*,

R.S.O. 1980, c. 407

shall issue vehicle certificates in a number not exceeding the number of vehicles permitted to be operated under the authority.

(8) No holder of a single-source authority or an owner-driver authority shall have more commercial vehicles under contract at any time than the number of vehicle certificates held under the authority.

Limit on vehicles under contract

(9) A vehicle certificate shall state the relevant operating authority.

Vehicle certificate

(10) An operating licence may be issued to expire,

Expiry

(a) at the end of a specified term;

(b) upon a specified day; or

(c) upon the occurrence of a specified event.

(11) Where the name or address of a holder of an operating licence changes from that set out in the application for the licence or a previous notice of change, the holder shall file, with the Registrar, a notice of the change within fifteen days after the change.

Notice of change

(12) Every licensee who does not maintain a place of business in Ontario shall designate and maintain a person resident in Ontario as an agent of the licensee for the purposes of this Act and to accept service for and on behalf of the licensee.

Ontario agent

(13) For the purpose of subsection (2), a “contract” means a contract, for a period of at least thirty consecutive days, that gives the licensee the right to carry goods of the other party to the contract, which goods are under the control of the other party, and prohibits the licensee from using the vehicle specified in the contract from carrying goods on the licensee’s

Definition, contract

behalf or for a person who is not the other party to the contract.

Compliance with 1986, c. 1 (Can.), 1976-77, c. 52 (Can.)

(14) It is a condition of every operating licence that neither the holder thereof nor the driver of a public truck operated thereunder is in contravention of the *Customs Act* (Canada) and the *Immigration Act, 1976* (Canada) and the regulations made thereunder.

Idem

(15) The driver of a commercial motor vehicle registered in a jurisdiction other than a province or territory of Canada and operated under the authority of an operating licence shall carry documents indicating compliance with subsection (14), and subsection 22 (2) applies to such documents.

Licence not transferable

5.—(1) Operating licences and operating authorities are not transferable.

Death

(2) Where a licensee, who is an individual, dies, the executor or administrator of the estate of the deceased may carry on the business of the deceased in accordance with the operating licence for not more than six months after the death.

Change in control of corporation

(3) The directors of a corporate licensee shall report forthwith to the Registrar,

(a) every issue or transfer of shares of its capital stock or change in beneficial ownership thereof; or

(b) an amalgamation,

that may affect control of the operations of the corporation.

Where licensee does not control business

(4) Every licensee shall report to the Registrar any arrangement whereby any part of the transportation service authorized is controlled in any way by a person other than the licensee.

Exception to subs. (4)

(5) The report referred to in subsection (4) is not required where the arrangement is a contract of the nature referred to in subsection 4 (2).

Requirements for licence

6.—(1) An operating licence shall not be issued or an operating authority granted unless the applicant demonstrates fitness to carry on the business of carrying goods for compensation as described in the application for the licence.

Idem

(2) An application for an operating licence may not be accepted by the Ministry from an applicant who does not hold

a certificate of competency or whose application is not co-signed by an employee who holds such a certificate.

(3) Every applicant for an operating licence shall file with the Registrar, with respect to the business for which authority is sought, a description of the proposed transportation service and evidence that the applicant, Idem

(a) is not an undischarged bankrupt;

(b) is insurable; and

(c) holds a Commercial Vehicle Operator's Registration Certificate issued under the *Highway Traffic Act* that is not under suspension or subject to a fleet limitation. R.S.O. 1980,
c. 198

(4) In determining the fitness of an applicant, the Registrar shall consider, Matters to be
considered

(a) the past conduct of the applicant and, where the applicant is a corporation, of its officers as disclosed by the record of convictions available to the Registrar under this Act and the *Highway Traffic Act*, *Public Commercial Vehicles Act*, *Motor Vehicle Transport Act* (Canada), *Compulsory Automobile Insurance Act*, *Environmental Protection Act*, *Employment Standards Act*, *Fuel Tax Act*, 1981, *Dangerous Goods Transportation Act*, 1981, *Criminal Code* (Canada), *Canada Labour Code*, *Transportation of Dangerous Goods Act* (Canada), and the regulations thereunder and such other statutes as may be prescribed, and comparable statutes and regulations of other jurisdictions that afford reasonable grounds for belief that the transportation service will not be operated in accordance with the law and the public interest; and R.S.O. 1980,
cc. 198, 407,
83, 141, 137

1981, cc. 59,
69

R.S.C. 1970,
cc. M-14,
C-34, L-1

(b) such other matters as are prescribed.

(5) Subsection (2) does not apply where the application is for an operating licence to carry goods of a nature and on a scale that had been exempt under the *Public Commercial Vehicles Act* and the applicant was engaged in the transportation during the six months immediately preceding the date of the application. Exception

7.—(1) On being satisfied of the fitness of an applicant to hold a licence, the Registrar shall give thirty days notice of the Notice of
intention to
issue licence

intention to issue an operating licence to the applicant by publication in *The Ontario Gazette*.

Notice of
intention to
refuse

(2) Where the Registrar finds that an applicant is not fit to hold an operating licence, the Registrar shall give the applicant written notice thereof with reasons, and the applicant may, within thirty days after receiving the notice, appeal the decision to the Licence Suspension Appeal Board as defined in the *Highway Traffic Act*.

R.S.O. 1980,
c. 198

Idem

(3) After a hearing, the Licence Suspension Appeal Board as defined in the *Highway Traffic Act* may amend or confirm the decision of the Registrar.

Hearing

(4) Any person may, within the thirty-day period referred to in subsection (1), file with the Registrar a written request that,

(a) where there is an allegation that false information was given to the Registrar by the applicant, the Registrar hold a hearing to determine the fitness of an applicant; or

(b) the Board hold a hearing to conduct a public interest test,

and file evidence of service of a copy of the request on the applicant.

Idem

(5) Where a request is made under clause (4) (a) that the Registrar, in his or her absolute discretion, does not consider merely frivolous or vexatious, the Registrar shall hold the hearing requested, which hearing shall be limited to the allegation that false information was given.

Reassessing
fitness

(6) Where the Registrar finds, after a hearing under subsection (5), that false information was given, the Registrar shall reassess the question of the applicant's fitness to hold a licence.

Issue of
licence

(7) Where subsection (8) does not apply and no request is made under clause (4) (b), and the Registrar continues to be satisfied that the applicant is fit to hold the licence, the Registrar shall issue the licence applied for.

At Minister's
direction

(8) The Minister may direct the Board to hold a public interest test and, where the Minister so directs, the Board shall hold the hearing.

(9) Where a request is made under clause (4) (b), the Board shall, subject to section 9, hold the hearing requested. Idem,
by Board

(10) A hearing to conduct a public interest test shall not be held until a final determination has been made that the fitness of the applicant has been demonstrated. Determine
fitness first

(11) The requirement to hold a hearing to conduct a public interest test does not apply where the application is for an owner-driver authority or an operating authority to carry, Exception

(a) waste or scrap being 40 29—miscellaneous waste or scrap;

(b) farm products being 01 1—field crops, 01 2—fresh fruits or tree nuts, 01 3—fresh vegetables, 01 91—horticultural specialties and 01 99—farm products, not elsewhere classified in STCC;

(c) prepared feed being 20 421—prepared feed, animal, fish or poultry, other than dog, cat or other pet food not elsewhere classified, except chopped, ground or pulverized hay, straw or related products, 20 423—canned feed, animal, fish or poultry, other than dog, cat or other pet food;

(d) peat being 14 917—peat, natural, except ground or otherwise treated;

(e) fresh fish being 09 1—fresh fish or other marine products not processed;

(f) buildings or structures being 24 33—prefabricated wooden buildings or panels or sections;

(g) newspapers and periodicals being 27 11—news-papers and 27 211—periodicals;

(h) borate and potash being 14 713—borate, potash or soda, crude except ground or otherwise treated;

(i) ores and concentrates being 10—metallic ores; or

(j) petroleum crude being 13 111—crude petroleum and 29 113 15—distillate fuel oil.

(12) The requirement to hold a hearing to conduct a public interest test does not apply where the applicant holds an operating licence issued under the *Public Commercial Vehicles Act* after the 20th day of June, 1983 and the authority applied for Idem

R.S.O. 1980,
c. 407

does not exceed that which would be contained in that licence if it had been issued pursuant to a rewritten certificate under section 10b of the *Public Commercial Vehicles Act*.

Stay of
licence

(13) Where a request for a hearing is made in respect of an application, the operating authority applied for shall not be granted until the hearing is completed or there has been a final disposition of the rejection of the request.

Application
of cl. (4) (b)
and subs. (8)

(14) Clause (4) (b) and subsection (8) cease to apply five years after coming into force.

Temporary
licence

8. Where the Registrar is satisfied that the circumstances warrant it and that it is in the public interest to do so, the Registrar may, despite subsections 6 (1) and 7 (13), issue an operating licence or grant an operating authority that is valid for not more than twelve months.

Public
interest test

9.—(1) A hearing to conduct a public interest test pursuant to a request under clause 7 (4) (b) shall be held only if the person who asked for the test makes out a written case to the Board that,

(a) the granting of the operating authority applied for would be likely to have a significant detrimental effect on the public interest using the criteria set out in subsection 10 (1); and

(b) the request is not frivolously made.

Idem

(2) A hearing to conduct a public interest test pursuant to the direction of the Minister shall be held only after the Minister has published, in *The Ontario Gazette*, the reasons for wanting the hearing.

Burden of
proof

(3) In a hearing where a public interest test is conducted, the burden of proof is,

(a) where the hearing is initiated by the Minister, on the applicant for the operating authority; or

(b) where the hearing is as a result of a request under clause 7 (4) (b), on the person making the request.

Notice to
Minister

(4) Before holding a hearing under this section, the Board shall give the Minister fifteen days notice thereof.

Provincial
interest

(5) If the Minister is of the opinion that the subject-matter of a hearing of which the Minister receives notice is or is likely to be a matter of provincial interest, the Minister shall

so advise the Board in writing together with the reasons before the day fixed by the Board for the hearing and, where that is done, may direct the Board,

- (a) to postpone the hearing until thirty days after the day fixed; or
- (b) to examine and investigate such matters relating to transportation policy as are referred to it by the Minister, to report thereon to the Minister and to postpone the hearing until thirty days after the date of the report.

(6) The Board, where it holds a hearing after it has been advised that the provincial interest may be involved, shall, as part of that hearing, consider and give effect to every policy statement issued by the Lieutenant Governor in Council related to the provincial interest identified. Policy statements

(7) Where the Lieutenant Governor in Council is of the opinion that the Board has failed to give effect to policy statements as required under subsection (6), the Lieutenant Governor in Council may give notice thereof with particulars to the Board within thirty days after the date of the decision of the Board and the Board shall review its decision and may amend its decision. Review of decision

(8) Where the Lieutenant Governor in Council is of the opinion that the Board has failed to give effect to policy statements in a review, the Lieutenant Governor in Council may give notice thereof to the Board within thirty days after the review and may substitute the decision of the Lieutenant Governor in Council for all or any part of the decision of the Board. Substituting decision

10.—(1) In a hearing to conduct a public interest test, the Board shall determine whether granting the operating authority applied for, as set out in the material filed under subsection 6 (3), would have a significant detrimental effect on the public interest in relation to the market proposed to be served by investigating whether there would be significant adverse impact on the following: Matters considered in public interest test

1. The existence of a dependable and viable trucking industry.
2. The availability of appropriate trucking services to shippers.

3. The ultimate Ontario consumers of goods and services.
4. Overall or net effect on employment within Ontario and the gross provincial product.
5. The public interest as set out by the Lieutenant Governor in Council in policy statements issued under section 37.

Board report

(2) Where, after a hearing to conduct a public interest test, the Board's decision is that granting the operating authority applied for would not likely have a significant detrimental effect on the public interest in the market proposed to be served, the Board shall so report to the Registrar and recommend that the Registrar grant the authority applied for.

Idem

(3) Where, after a hearing to conduct a public interest test, the Board's decision is that granting the operating authority applied for will likely have a significant detrimental effect on the public interest in the market proposed to be served, the Board shall so report to the Registrar and recommend that the Registrar,

- (a) grant the authority applied for subject to a limit on the number of commercial vehicles authorized to be operated thereunder in the first, second, third and fourth years following the issuing of the licence; or
- (b) where the issue of provincial interest has been raised under subsection 9 (5), issue an operating licence with provisions that vary from those applied for.

Issuing
licence

(4) Upon receiving a report under subsection (2) or (3), the Registrar shall issue a licence in the terms recommended by the Board.

Deferred
issuance

(5) The issue of any licence under subsection (4) may be delayed for up to six months after the Board's decision if the Board so recommends.

Certificate of
inter-
corporate
exemption

11.—(1) The Registrar shall issue a certificate of intercorporate exemption to every applicant therefor who is not precluded from receiving it by subsection (2).

Where not to
be issued

(2) A certificate of intercorporate exemption shall not be issued,

- (a) to a licensee; or

- (b) to a corporation that does not show on the application an affiliated corporation,

and shall not name therein an affiliated corporation that holds an operating licence.

(3) The Registrar may, in a certificate of intercorporate exemption, set out such conditions and limitations as the Registrar sees fit to govern the carriage of goods under the certificate. Conditions in certificate

(4) For the purpose of this Act, a corporation is an affiliate of another corporation if one of them is the subsidiary of the other, if both are subsidiaries of the same corporation or if each is controlled by the same individual or corporation. Affiliate

(5) For the purpose of subsection (4), a corporation is controlled by an individual corporation or group of corporations if, Control

- (a) voting securities of the corporation carrying more than 50 per cent of the votes for the election of director are held, otherwise than by way of security only, by or for the benefit of the other person or group of persons;

- (b) the votes carried by the securities referred to in clause (a) are entitled, if exercised, to elect all members of the board of directors of the corporation.

(6) For the purpose of subsection (4), a corporation is a subsidiary of another corporation if, Subsidiary

- (a) it is controlled by,

- (i) the other corporation,

- (ii) the other corporation and one or more corporations each of which is controlled by that other corporation, or

- (iii) two or more corporations each of which is controlled by the other corporation; or

- (b) it is a subsidiary of a corporation that is the other corporation's subsidiary.

Notification
of
change—re
inter-
corporate
exemption
Offence

12.—(1) Every holder of a certificate of intercorporate exemption shall notify the Registrar of any change in the facts set out in the certificate within thirty days after the change.

(2) Every person who contravenes subsection (1) is guilty of an offence and on conviction is liable to a fine of not less than \$500 and not more than \$5,000.

Trip permit

13.—(1) Subject to subsection (3), the Registrar shall issue a trip permit to every applicant therefor.

Idem

(2) Every trip permit shall,

(a) specify the trip and vehicle, including drawn vehicles if any, for which it applies; and

(b) be subject to the conditions set out therein.

Limit of
three permits

(3) No more than three trip permits may be issued to one person within any twelve-month period.

Commercial
zones

14.—(1) The Minister may designate commercial zones and may vary the boundaries of a commercial zone but, where the Minister does so, it shall be done only in accordance with the recommendations of the Board.

Referral to
Board

(2) Where the Minister proposes to designate a commercial zone or to vary the boundaries of a commercial zone, he shall refer the proposal to the Board and the Board shall hold a public hearing and report thereon to the Minister with its recommendations.

Second
hearing

(3) The Minister may require the Board to hold a second public hearing in respect of all or any part of a proposal that has been reported on under subsection (2) and to again report thereon to the Minister with its recommendations.

Matter for
the Board to
consider

(4) In determining whether to recommend the designation of a commercial zone, the Board shall consider whether the public interest will be served thereby.

Public
interest

(5) In considering public interest, the Board shall take into account the impact on the users of for hire transportation services within the proposed zone and on the providers of the services.

Idem

(6) In considering the impact on the providers of services, the Board shall take into account the impact on those to whom this Act does not apply, who are operating exclusively

within the proposed zone and on licensees who would be affected thereby.

15.—(1) No person shall knowingly hire, directly or indirectly, or participate in an arrangement to hire a person to carry goods where the services would be carried out in contravention of subsection 3 (1).

Prohibited service—arranging

- (2) No person shall,
- (a) hold himself out as willing to; or
- (b) undertake to,
- Prohibited service—performing

arrange to carry goods where the service would be carried out in contravention of subsection 3 (1).

16.—(1) No licensee shall carry goods under the authority of an operating licence unless the licensee or an employee of the licensee holds a certificate of competency and, where the regulations so require, such greater number of employees as are indicated by the regulations hold a certificate of competency.

Certificate of competency required

(2) In every situation where the regulations require more than one certificate holder, the licensee is permitted ninety days in which to effect compliance.

Delayed effect

(3) Every licensee, who ceases to meet the requirements referred to in subsection (1) because of the termination of employment of an employee who holds a certificate of competency, shall be deemed to meet the requirements for ninety days after the termination.

Idem

(4) An employee holding a certificate of competency may be counted for one licensee only when determining whether the requirements of subsection (1) are met except where the licensees are affiliated corporations.

Limited use of certificate

(5) Every licensee shall notify the Registrar within fifteen days after a change in certificate holders whose employment is relied on to satisfy the requirements of subsection (1) of the change.

Change in certificate holders

(6) Subsection (1) does not apply to an executor or administrator of an estate carrying on business in accordance with subsection 5 (2).

Exception

(7) Every licensee who holds an operating licence restricted to the carriage of goods through Ontario, provided the goods

Idem

are not picked up or dropped off in Ontario, is exempt from the application of subsection (1).

Idem

R.S.O. 1980,
c. 407

(8) Every licensee who holds an operating licence which was issued under the *Public Commercial Vehicles Act* is exempt from the application of subsection (1) with respect to the carriage of goods during the eighteen-month period starting on the implementation date.

Idem

(9) The holder of an operating licence issued pursuant to an application to which subsection 6 (5) applies is exempt from the application of subsection (1) with respect to the carriage of goods during the eighteen-month period starting on the implementation date.

Licence to be
carried

17.—(1) Every person driving a public truck on a highway shall carry or keep, in a readily accessible place in the vehicle, a copy of the operating licence under which the vehicle is being operated and shall surrender the copy for inspection upon the demand of an officer.

Certificate of
intercorporate
exemption to
be carried

(2) Every driver of a commercial vehicle that is being operated under a certificate of intercorporate exemption shall carry or keep in a readily accessible place in the vehicle,

(a) the certificate or a copy thereof; and

(b) a shipping document signed by the consignor of the goods carried showing the name of the consignor, the name and address of the consignee, the originating point and the destination of the shipment and the particulars of the goods comprising the shipment,

and shall surrender them for inspection on the demand of an officer.

Copy of
lease to be
carried

(3) Every driver of a commercial vehicle that is under lease or contract to the owner, consignor or consignee of the goods being carried shall carry at all times while carrying the goods on a highway a copy of the lease, contract or notice of contract and shall surrender it for inspection on the demand of an officer.

Trip permit
to be carried

(4) Every driver of a commercial vehicle that is being operated under the authority of a trip permit shall carry or keep the permit in a readily accessible place in the vehicle and shall surrender it for inspection on the demand of an officer.

(5) Every person operating a public truck under an operating authority that limits the number of commercial vehicles that may be operated thereunder shall carry in the vehicle a vehicle certificate issued pursuant to such operating authority and shall surrender it for inspection on the demand of an officer.

Where limit
on number
of vehicles

18.—(1) Except as otherwise provided in the regulations, every licensee shall publish, as prescribed, a tariff of tolls showing the rates and charges and the conditions of carriage for the carrying of goods to and from points in respect of which the carriage is provided or offered by the licensee.

Publishing
tariffs

(2) No licensee shall charge a toll other than that contained in a tariff that is in effect or impose conditions of carriage that are not contained in or imposed in accordance with the tariff.

Tolls

(3) Subsections (1) and (2) do not apply to a tariff or toll charged under a contract, of which there is written evidence, that is for a term,

Exception

(a) of less than fourteen days;

(b) of not less than six months and that provides for an ascertainable maximum quantity of goods to be transported at that toll; or

(c) other than as set out in clause (a) or (b) but has been approved by the Board.

(4) A tariff of tolls shall not come into effect until fifteen days after it has been published in the prescribed manner or, where the Board has waived the fifteen days notice, until it has been published in the prescribed manner.

Coming into
effect

(5) The Board, on the application of a licensee, may, in any particular situation, reduce or waive the fifteen days notice referred to in subsection (4) or approve the term of a contract for purposes of clause (3) (c).

Power of
Board

(6) This section does not apply to an intermediary referred to in subsection 3 (8).

Exception

19.—(1) Except as otherwise provided in the regulations, every licensee shall issue a bill of lading to the person delivering or releasing goods to the licensee for carriage for compensation.

Bill of lading

Copy to be retained

(2) A signed copy of every bill of lading issued under this Act shall be retained, as, where and for the time prescribed, by the consignor of the goods involved and by the issuer.

Production of bill of lading

(3) Except as otherwise provided in the regulations, every driver operating a public truck shall carry a copy of the bill of lading in respect of the goods being carried and shall surrender it for inspection on the demand of an officer.

Copy of bill of lading to accompany all goods

(4) Where a shipment of goods is carried on more than one vehicle, the licensee shall ensure that every part of the shipment is accompanied by a copy of the appropriate bill of lading.

Way bill

(5) For the purpose of subsections (3) and (4), a way bill, containing such information as is prescribed, may be substituted for the bill of lading.

Exemption certificate

(6) The Registrar may grant a bill of lading exemption in an operating authority to a licensee if the operating authority is within a prescribed class.

Idem

(7) Subsections (3) and (4) do not apply in situations where there is no bill of lading or way bill because its use is obviated through the existence of an exemption granted under this section.

Access to records

(8) Every person to whom a bill of lading exemption has been granted under subsection (6) shall make available to an officer of the Ministry, upon demand, access to the holder's records, whether in printed form or on film or the access is by electronic means or otherwise, and shall assist the officer in examining and extracting therefrom information that would, except for the exemption, be required to have been contained in a bill of lading or way bill.

Insurance

20. Every licensee shall carry such insurance or provide such bond as is prescribed and shall ensure evidence thereof is carried in every commercial vehicle operated by the licensee.

Direction to stop

21. Any officer may, for the purpose of an examination, direct, by signals or otherwise, the driver of any commercial vehicle driven on a highway to stop, and the driver upon being so directed shall stop the vehicle.

Examination by officer

22.—(1) Any officer may, at any time, examine any commercial vehicle, its contents and equipment for the purpose of ascertaining whether this Act, the *Highway Traffic Act* and the regulations under either Act are being complied with and

the person in control of the vehicle shall assist in the examination of it, its contents and equipment.

(2) Where a commercial vehicle examined under this section contains goods, the officer conducting the examination may require the person in charge of the vehicle to surrender all documents in the possession of that person or in the vehicle relating to the operation of the vehicle and to the carriage and ownership of the goods and to furnish all information within that person's knowledge relating to the details of the current trip and the ownership of the goods.

Surrender of documents

(3) Where an officer is of the opinion, on reasonable and probable grounds, that a commercial vehicle is being operated in contravention of subsection 3 (1), the officer may,

Seizure or detention

(a) direct the driver of the vehicle to drive the vehicle to such location as is reasonable in the circumstances and detain it at that location; and

(b) seize the permits and number plates for the vehicle,

until the vehicle is able to be operated in compliance with subsection 3 (1).

(4) Every driver who is directed under clause (3) (a) shall comply with the direction.

Duty on driver

(5) Every permit seized under subsection (3) shall be deemed to be under suspension for the purposes of section 33 of the *Highway Traffic Act* while it is in the custody of the officer seizing it.

Permit suspension
R.S.O. 1980,
c. 198

(6) Where permits and number plates have been seized or a commercial vehicle has been detained under subsection (3), the person entitled to possession of the vehicle may apply to the District Court for an order that the permits and plates be returned or the vehicle released, as the case may be, and upon a security being deposited with the Court in such amount not to exceed \$5,000, as determined by the Court, the order may be issued.

Order to release

(7) Every security deposited under subsection (6) shall be held until the final disposition of a charge laid in respect of the believed contravention that led to the seizure or detention or, where a charge is not laid within six months after the seizure or detention, the expiration of the six-month period, whichever first occurs.

Disposition of security

Idem

(8) Where there is a conviction in respect of a charge referred to in subsection (7), the security deposited shall be applied to pay the fine imposed.

Lien

(9) Where there is a conviction in respect of a charge referred to in subsection (7), all costs necessarily incurred in detaining and storing a vehicle under subsection (3) shall be a lien on the vehicle.

Examination
of records

23. An officer of the Ministry may examine all books, records and documents of,

- (a) a licensee or a holder of a trip permit relating to the business of operating public trucks; or
- (b) a holder of a certificate of intercorporate exemption or of an affiliated corporation named in the certificate relating to the transportation of goods for compensation,

for the purpose of ensuring that the provisions of this Act and the regulations are being complied with and the officer may, for the purpose of the examination, upon producing his or her designation as an officer of the Ministry, enter at any reasonable time the business premises of the licensee, holder or affiliated corporation, as the case may be.

Investigation

24.—(1) Where the Minister believes, on reasonable and probable grounds, that any person has contravened a provision of this Act or the regulations, the Minister may appoint one or more persons to investigate whether the contravention has occurred and the person appointed shall report the results of the investigation to the Minister.

Powers of
investigator

(2) For purposes relevant to an investigation under this section, the investigator may inquire into and inspect the business affairs of the person in respect of whom the investigation is being made and may,

- (a) upon production of his or her appointment, enter, at any reasonable time, the business premises of the person and inspect books, papers, documents and things relevant to the investigation; and
- (b) inquire into negotiations and transactions made by or on behalf of or in relation to the person relating to the transportation of goods or the use of public trucks or that are otherwise relevant to the investigation,

and for the purpose of the inquiry, the investigator has the powers of a commission under Part II of the *Public Inquiries Act*, which Part applies to the inquiry as if it were an inquiry under that Act.

R.S.O. 1980,
c. 411

(3) No person shall obstruct an investigator in the course of an investigation under this section or withhold from an investigator or conceal or destroy any books, papers, documents or things relevant to the investigation.

No person
shall obstruct
investigator

(4) Where a justice of the peace is satisfied, upon an application without notice by an investigator acting under this section,

Application
to justice of
the peace

- (a) that the investigation has been ordered and that the applicant has been appointed to conduct it; and
- (b) that there are reasonable grounds for believing there are in a specified building, dwelling, receptacle or place, books, papers, documents or things relating to the investigation,

the justice of the peace may, whether or not an inspection has been made or attempted under clause (2) (a), issue an order authorizing the investigator, together with such police officers as the investigator calls upon to assist, to enter and search, if necessary by reasonable force, the building, dwelling, receptacle or place for the books, papers, documents or things and to examine them.

(5) Every entry and search authorized under subsection (4) shall be made between sunrise and sunset unless the order authorizes the investigator to make the search at night.

Times of
entry

(6) The Minister may appoint an expert to assist in examining books, papers, documents or things examined under clause (2) (a) or subsection (4).

Expert
examination

25.—(1) Any person,

Copies

- (a) obtaining a document under section 22, may take the document for the purpose of making a copy of it; or
- (b) in the course of an investigation under section 23 or 24, upon giving a receipt therefor, may take anything that may be examined under that section for the purpose of making copies thereof,

but the copying shall be done as quickly as reasonably possible and the thing copied shall be promptly returned thereafter.

Idem

(2) Any copy made as provided in subsection (1) and certified to be a true copy by the person making the copy is admissible in evidence in any proceeding as proof, in the absence of evidence to the contrary, of the original document and that the facts set out therein are true.

Cancellation
or
amendment
of certificate

26.—(1) The Registrar may amend a certificate of intercorporate exemption where a corporation named in the certificate is no longer affiliated to the holder of the certificate or, where the corporation named in the certificate is the only one so named and is no longer affiliated to the holder of the certificate, the Registrar may cancel the certificate.

Registrar
may suspend
or cancel
certificate

(2) The Registrar may suspend or cancel a certificate of intercorporate exemption where the holder thereof or any person under the control or direction of the holder or of an affiliated corporation named therein contravenes this Act or the regulations, the *Highway Traffic Act* or the regulations thereunder or the provisions of the certificate, and the contravention is such that there are grounds for believing that transportation services permitted by the certificate will not be carried on in accordance with the law.

R.S.O. 1980,
c. 198

Cancellation
of licence

27.—(1) The Registrar may cancel an operating licence,

- (a) in whole, where the licensee fails to provide any part of the transportation service for which the licensee is licensed for a continuous period of one year;
- (b) in part, where the licensee fails to provide transportation service in respect of that part for a continuous period of one year; or
- (c) in whole or in part at the request of the licensee.

Suspension
or cancel-
lation of
licence

(2) The Registrar may suspend or cancel an operating licence in whole or in part where,

- (a) the licensee or any person under the control or direction of the licensee contravenes this Act or the regulations, any Act referred to in clause 6 (4) (b) or the provisions of the licence and the contravention is such that there are reasonable grounds for believing that the transportation services permitted

by the licence will not be carried on in accordance with this Act or the regulations;

- (b) there has been misconduct or lack of integrity or honesty by the licensee in carrying on the transportation service;
- (c) the licensee is financially incapable of providing transportation services in accordance with this Act and the regulations or the provisions of the licence or of meeting the licensee's financial responsibilities to users of the services; or
- (d) the licensee holds an owner-driver or single-source authority and has been a party to a contract under the authority that has been cancelled in less than thirty days in circumstances that afford reasonable grounds for believing that the transportation service authorized by the authority will not be carried on in accordance with this Act and the regulations.

(3) The Registrar may cancel a bill of lading exemption of any holder of an operating licence who does not comply with subsection 19 (8) (access to records) or whose records do not disclose the information that is required in a bill of lading or way bill. Cancellation of bill of lading exemption certificate

28.—(1) Where the Registrar proposes to suspend or cancel an operating licence, in whole or in part, to suspend, amend or cancel a certificate of intercorporate exemption or to cancel a bill of lading exemption, the Registrar shall serve notice of the proposal together with reasons therefor on the licensee or certificate holder. Notice of proposal to cancel, etc.

(2) Every person who is served with a notice under subsection (1) and serves on the Registrar and the Board, within fifteen days after that person receives service of the notice, a request for a hearing, is entitled to a hearing by the Board in respect of the proposal. Right to hearing

(3) Where the Registrar does not receive a request for a hearing as provided in subsection (2), the Registrar may, on the expiration of the fifteen days referred to in subsection (2), carry out the proposal. Where no hearing requested

(4) For the purpose of subsection (1), a notice that is mailed by prepaid post to the licensee or certificate holder at that person's address last known to the Registrar shall be deemed to have been served on the third day after the day of mailing. Service

Extension of
time

(5) The Board, on application by a licensee or certificate holder, as the case may be, may extend the time for requesting a hearing, either before or after expiration of the fifteen-day period, and may give such directions as it considers proper consequent upon the extension.

Parties

(6) The Registrar, the licensee or certificate holder and such other persons as the Board may specify are parties to every hearing under this section.

Efforts to
comply

(7) In a hearing held under this section, the Board shall take into account, where appropriate, evidence as to the manner in which the licensee has carried on operations under the licence after receipt of notice of hearing and up to the hearing.

Opportunity
to examine
evidence

(8) The Registrar shall give any party to a hearing an opportunity to examine, before the hearing, all documentary evidence that will be introduced and all reports, the contents of which, will be given in evidence at the hearing.

Recommen-
dations of
Board

(9) The Board shall, after a hearing under this section, make a report to the Registrar, setting out its findings of fact, conclusions of law and recommendations.

Decision
subsequent to
report

(10) The Registrar, on receiving and considering a report made under this section, may carry out the proposal to which it relates, fully or in a modified manner and, where he or she does so, shall give written reasons for the decision to the licensee or holder or, where the Registrar decides not to carry out the proposal, he or she shall so advise the licensee or certificate holder.

Refusing or
withdrawing
privileges

29.—(1) The Registrar may,

- (a) despite subsection 11 (1), refuse to issue a certificate of intercorporate exemption;
- (b) despite subsection 13 (1), refuse to issue a trip permit; or
- (c) suspend an operating licence,

where the applicant or holder is indebted to the Treasurer of the Province of Ontario in respect of a fee related to the issuance of a certificate, licence or permit.

No right to
hearing

(2) Subsections 28 (1) and (2) do not apply in respect of a licence suspended under clause (1) (c).

(3) Where a cheque tendered as payment for any fee or tax is dishonoured, interest may be charged on the amount of the cheque and a penalty and administrative fee may be imposed.

Dishonoured
cheques

(4) The Lieutenant Governor in Council may make regulations,

Regulations

- (a) providing for the payment of administrative fees for reinstating suspended operating licences;
- (b) providing for the payment of administrative fees for handling dishonoured cheques;
- (c) prescribing for the purpose of subsection (3), the rate of interest, when interest starts to run and the method of calculating the amount of interest;
- (d) prescribing penalties for the purposes of subsection (3) and the method of determining the amount of any penalty.

30.—(1) The Registrar may at any time refer an operating licence to the Board where, in the opinion of the Registrar, any part is ambiguous or the rights granted by the licence are uncertain and the Board shall, after a hearing, report to the Registrar and may recommend that the licence be amended to resolve any ambiguity or uncertainty.

Referral to
Board where
uncertainty

(2) Upon receipt of a report under subsection (1) that recommends a licence be amended, the Registrar shall issue an amended operating licence in the form recommended by the Board.

Issue of
clarified
licence

31. Every person employed in the administration of this Act, including an investigator under section 24, shall preserve confidentiality with respect to all matters that come to his or her knowledge in the course of that person's duties or employment and shall not communicate any such matter to any other person except,

Confiden-
tiality

- (a) as may be required in connection with the administration of this Act and the regulations or any proceeding under this Act or the regulations or of the *Motor Vehicle Transport Act* (Canada);
- (b) to his or her counsel; or
- (c) with the consent of the person to whom the information relates.

R.S.C. 1970,
c. M-14

Cancellation
of licence by
Registrar

32. Where the Registrar receives a report under subsection 5 (3) or (4) or information that leads the Registrar to conclude that a report should have been made under subsection 5 (3) or (4), the Registrar shall refer the report or the information to the Board and the Board shall hold a hearing to determine whether persons different from those indicated at the time of the application for the licence are in actual control of the transportation service authorized by the licence and, where that is the case, the Registrar shall cancel the operating licence.

Penalty

33.—(1) Every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on conviction, where a penalty for the contravention is not otherwise provided, is liable to a fine of not less than \$150 and not more than \$1,500.

Idem

(2) Every person who knowingly makes a false statement in an application, declaration, affidavit or document required under this Act or the regulations or by the Board is guilty of an offence and on conviction is liable to a fine of not more than \$1,000 or to imprisonment for a term of not more than thirty days, or to both.

Licensee
vicariously
liable

34. Any licensee may be charged with and convicted of an offence under this Act or the regulations for which the driver of the licensee's public truck is subject to be charged and on conviction, the licensee is liable to the penalty provided for the offence.

Consent to
prosecute

35. No prosecution shall be instituted under this Act without the prior consent of an officer.

Advisory
Committee
on Truck
Transportation

36.—(1) There shall be a committee to be known as the Advisory Committee on Truck Transportation composed of not fewer than twelve and not more than twenty members.

Members

(2) The Minister shall appoint the members of the Committee for such terms as the Minister determines and in making the appointments shall include representatives of the Ministry, the Board, shippers and carriers.

Chairman
and vice-
chairman

(3) The Minister shall designate a chairman and a vice-chairman from among the members appointed.

Vacancies

(4) The Minister may fill any vacancy that occurs in the membership of the Committee.

Function of
Committee

(5) The function of the Committee is to advise and make recommendations to the Minister on,

- (a) the effectiveness of this Act and its administration by the Ministry and the Board in relation to the objectives set out in section 2;
- (b) any matter concerning the transportation of goods in commercial vehicles; and
- (c) the degree to which the public interest test is necessary to advance the objectives of section 2.

37.—(1) The Lieutenant Governor in Council may issue policy statements setting out matters to be considered by the Board when determining questions of public interest and the Board shall take the statements into consideration together with such other matters as the Board considers appropriate.

Policy
statements

(2) Every policy statement made under subsection (1) shall be published in *The Ontario Gazette*.

Publication

38.—(1) The Minister may direct the Board to examine and investigate such matters relating to transportation policy as the Minister specifies and the Board shall report thereon to the Minister.

Ministerial
directions to
investigate

(2) For the purposes of subsection (1), the Board may hold such hearings as it considers necessary.

Hearings

39. Section 22 of the *Ontario Highway Transport Board Act* does not apply to an order or decision of the Board under this Act.

Non-appli-
cation of
R.S.O. 1980,
c. 338

40.—(1) Every operating licence issued to a licensee under the *Public Commercial Vehicles Act* or this Act is cancelled upon the issuance of a new licence under this Act to the same licensee.

One valid
licence only
R.S.O. 1980,
c. 407

(2) An amended licence constitutes a new licence, as amended, for the purpose of subsection (1).

Amending
licence

41.—(1) The Lieutenant Governor in Council may make regulations,

Regulations

- 1. prescribing classes of licences, licensees and authorities;
- 2. prescribing fees and the basis for computing fees and providing for the payment thereof;

3. prescribing conditions and limitations to which licences, authorities, permits and certificates of intercorporate exemptions shall be subject;
4. prescribing the contents of and the information to be contained in bills of lading and prescribing different contents and information for bills of lading issued by various classes of licensees;
5. prescribing the form, amount, nature, class, provisions and conditions of insurance policies and bonds that shall be provided and carried by licensees;
6. respecting the form and content of tariffs and tolls, including conditions of carriage, the publication thereof and the payment of tolls;
7. prescribing forms, including the contents thereof and information to be contained therein, and providing for their use and the filing thereof;
8. prescribing, regulating and limiting the hours of labour of drivers of public trucks;
9. prescribing the qualifications of drivers of public trucks and prohibiting persons who do not meet the qualifications from driving public trucks;
10. prescribing equipment to be carried by public trucks and the condition and location in which the equipment shall be kept;
11. prescribing the method of bookkeeping or accounting to be used and the returns or statements to be filed by licensees and providing for the filing thereof;
12. prescribing criteria to be taken into account in determining the fitness of applicants for operating authorities and licences;
13. prescribing and providing for the information to be marked on articles covered by a bill of lading issued by licensees and exempting any class of licensees from any provision so prescribed or provided;
14. prescribing conditions that shall be deemed to be a part of every contract or a class of contract for the carriage of goods for compensation to which this Act applies;

15. prescribing classes of operating authorities for the purposes of subsection 7 (11);
16. exempting any class of licensees or drivers of any class of public truck from the application of sections 18 and 19 and prescribing conditions to which any exemption is subject;
17. prescribing classes of operating authorities for the purposes of subsection 19 (6) and conditions that apply to holders of operating authorities who carry goods under a bill of lading exemption;
18. governing the issue and renewal of operating licences;
19. prescribing the qualifications of applicants for and holders of operating authorities and operating licences;
20. governing the issue and renewal of certificates of intercorporate exemption and prescribing terms to which the certificates shall be subject;
21. establishing certificate of competency training programs including the prescribing of training courses, courses of study, methods of training, qualifications for certification, fixing credits to be allowed for courses, the administration of the program, providing for the granting of certificates and the recognition of previous experience;
22. prescribing classes of public trucking undertakings and the number, location and scope of duties of holders of certificates of competency required to be employed therein;
23. prescribing the contents of documents and financial statements and providing for their filing with the Registrar or the Board;
24. prescribing the period of time for which certificates of intercorporate exemption are valid and providing for the renewal thereof;
25. prescribing the method of determining the number of employees required to hold a certificate of competency and providing for different calculations based on the type of venture carried on;

26. designating certificates or documents that shall, on designation, be deemed to be a certificate of competency issued under this Act;
27. providing for the delegation to an officer of the Ministry of such of the powers and duties of the Registrar as may be considered necessary;
28. respecting any matter or thing that is required or permitted to be prescribed under this Act.

Idem

(2) Any regulation may be general or particular in its application.

Adoption of codes, etc.

(3) Any regulation may adopt by reference in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, standard or specification, and may require compliance with any code, standard or specification that is so adopted.

Transition

R.S.O. 1980,
c. 407

42.—(1) An operating licence issued pursuant to a certificate of public necessity and convenience under section 10b of the *Public Commercial Vehicles Act* shall be deemed to be an operating licence for the purpose of this Act.

Idem

(2) An operating licence or a freight forwarder's licence issued under the *Public Commercial Vehicles Act*, other than a licence referred to in subsection (1), shall be deemed to be an operating licence for the purpose of this Act during the eighteen-month period starting on the implementation date unless cancelled sooner by the operation of section 40.

Idem

(3) A certificate of intercorporate exemption issued under section 4a of the *Public Commercial Vehicles Act* shall be deemed to be a certificate of intercorporate exemption for the purpose of this Act.

Limitation re
R.S.O. 1980,
c. 407,
subs. 6 (1)

(4) Subsection 6 (1) of the *Public Commercial Vehicles Act* does not apply where the application for the licence is made after the implementation date.

43.—(1) Section 2, as amended by the Statutes of Ontario, 1981, chapter 71, section 2, sections 4a and 4b, as enacted by the Statutes of Ontario, 1981, chapter 71, section 3, subsection 6 (3), sections 9, 13, 18 to 22, sections 24 to 26, section 27, as amended by the Statutes of Ontario, 1981, chapter 71, section 10, and sections 28 to 30 of the *Public Commercial Vehicles Act*, being chapter 407 of the Revised Statutes of Ontario, 1980, are repealed.

(2) The *Public Commercial Vehicles Act*, being chapter 407 of the Revised Statutes of Ontario, 1980, the *Public Commercial Vehicles Amendment Act*, 1981, being chapter 71, the *Public Commercial Vehicles Amendment Act*, 1983, being chapter 79, the *Public Commercial Vehicles Amendment Act*, 1984, being chapter 20 and the *Public Commercial Vehicles Amendment Act*, 1986, being chapter 11, are repealed eighteen months after the implementation date.

44. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor. Commence-
ment

45. The short title of this Act is the *Truck Transportation Act*, 1988. Short title

CHAPTER 65

An Act to amend the Tobacco Tax Act

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clauses 2 (1) (a) and (b) of the *Tobacco Tax Act*, being chapter 502 of the Revised Statutes of Ontario, 1980, as re-enacted by the Statutes of Ontario, 1986, chapter 41, section 1, are repealed and the following substituted therefor:

- (a) 3.83 cents on every cigarette purchased by the consumer;
- (b) 2.2 cents on every gram or part thereof of any tobacco, other than cigarettes or cigars, purchased by the consumer; and

2. The said Act is amended by adding thereto the following section:

3a. The Minister may designate in writing any person to collect the tax imposed by this Act, and the person so designated shall be the agent of the Minister and shall collect and remit the tax to the Treasurer at the time or times and in the manner prescribed by the regulations.

Ministerial
designation

3. Clause 28 (1) (a) of the said Act is amended by striking out "and designating the persons by whom it is to be collected" in the second and third lines.

4. Subsection 28 (1) of the said Act, as last amended by the Statutes of Ontario, 1983, chapter 25, section 2, is further amended by adding thereto the following clauses:

- (e) defining any words in the Act that have not already been defined in the Act;

- (f) prescribing words or marks or both that shall be included on the packaging of cigarettes, cigars or other tobacco intended to be sold in Ontario, indicating that the cigarettes, cigars or other tobacco are taxable or exempt from tax under this Act, as the case may be, and prescribing the location on the packaging where such words or marks shall be located;

- (l) governing the acquisition, transportation, storage, possession and sale of marked and unmarked tobacco by dealers.

Commence-
ment

5. This Act shall be deemed to have come into force on the **21st day of April, 1988.**

Short title

6. The short title of this Act is the *Tobacco Tax Amendment Act, 1988.*

CHAPTER 66

An Act to amend the Gasoline Tax Act

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of the *Gasoline Tax Act*, being chapter 186 of the Revised Statutes of Ontario, 1980, as amended by the Statutes of Ontario, 1985, chapter 24, section 1, is further amended by adding thereto the following clauses:

(ea) "leaded gasoline" means gasoline that is not unleaded gasoline and includes premium leaded gasoline that conforms to Type 1, or regular leaded gasoline that conforms to Type 2, as described in Gasoline Automotive Standard CAN/CGSB-3.1-M87 of the National Standards of Canada as published by the Canadian General Standards Board or that conforms to such other gasoline automotive standard for premium leaded gasoline or regular leaded gasoline as is published in replacement thereof by the Canadian General Standards Board;

(ka) "unleaded gasoline" means premium unleaded gasoline that conforms to Type 1, or regular unleaded gasoline that conforms to Type 2, as described in Gasoline Automotive Standard CAN/CGSB-3.5-M87 of the National Standards of Canada as published by the Canadian General Standards Board or such other gasoline automotive standard for premium unleaded gasoline or regular unleaded gasoline as is published in replacement thereof by the Canadian General Standards Board.

2.—(1) Subsection 2 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1985, chapter 24, section 2, is amended by striking out "8.3" in the second line and inserting in lieu thereof "9.3".

(2) Section 2 of the said Act, as amended by the Statutes of Ontario, 1985, chapter 24, section 2, is further amended by adding thereto the following subsection:

Additional
tax on leaded
gasoline

(2a) In addition to the tax imposed by subsection (1), every purchaser of leaded gasoline shall pay to the Treasurer a tax at the rate of 3 cents per litre on all leaded gasoline purchased by, or delivered to, the purchaser.

Commence-
ment

3. This Act shall be deemed to have come into force on the 21st day of April, 1988.

Short title

4. The short title of this Act is the *Gasoline Tax Amendment Act, 1988*.

CHAPTER 67

An Act to amend the Grain Elevator Storage Act, 1983

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 (3) of the *Grain Elevator Storage Act, 1983*, being chapter 40, is amended by striking out “and” at the end of clause (a), by adding “and” at the end of clause (b) and by adding thereto the following clause:

- (c) take and remove samples from a grain elevator for the purpose of determining whether there is compliance with section 21.

2.—(1) Subsection 3 (1) of the said Act is amended by inserting after “elevator” in the second line “or operate a grain elevator”.

(2) Subsection 3 (2) of the said Act is repealed and the following substituted therefor:

(2) A person shall make a separate application and obtain a separate licence for each different location on which a grain elevator is operated unless the person meets the requirements set out in subsection (2a), in which case, one application, or such other number of applications as the chief inspector considers appropriate, may be made.

Application
for licence

(3) Section 3 of the said Act is amended by adding thereto the following subsection:

(2a) Notwithstanding subsection (2), where a grain elevator operator,

Licence for
whole
operation

- (a) operates grain elevators at more than one location;
and

- (b) maintains a collective storage position based on grain storage receipts issued from a central office,

the chief inspector may issue one licence, or such other number of licences as the chief inspector considers appropriate, in respect of the total operation.

3. The said Act is amended by adding thereto the following section:

Provisional
suspension or
refusal to
renew

10a.—(1) Notwithstanding section 10, the chief inspector may, without a hearing, provisionally suspend or refuse to renew a licence where in the chief inspector's opinion it is necessary to do so for the immediate protection of the interests of persons storing farm produce.

Hearing
required

(2) Notice of suspension or refusal to renew under subsection (1), together with the reasons therefor, shall be given forthwith to the licensee and, as soon as is practicable thereafter, the chief inspector shall hold a hearing to determine whether the licence should be further suspended or revoked or whether renewal of the licence should be refused.

4. Subsection 16 (2) of the said Act is amended by striking out "thirty" in the fifth line and inserting in lieu thereof "forty-five".

5. Subsection 17 (4) of the said Act is amended by striking out "on option" in the second and third lines and inserting in lieu thereof "through a basis or delayed price contract".

6. Subsection 19 (4) of the said Act is repealed and the following substituted therefor:

Consent of
chief
inspector to
payment

(4) Every contract of insurance obtained under subsection (1) shall provide that payment thereunder in respect of the farm produce shall not be made without the consent of the chief inspector.

7. The said Act is further amended by adding thereto the following section:

Shortfall
permit

21a. Notwithstanding section 21, a permit for a shortfall position may be issued by the chief inspector, subject to such terms and conditions as may be prescribed in the regulations.

8.—(1) Clause 26 (b) of the said Act is repealed and the following substituted therefor:

- (b) prescribing the terms and conditions under which licences and shortfall permits may be issued.

(2) Section 26 of the said Act is amended by adding thereto the following clauses:

- (da) requiring that grain storage receipts be on serialized paper approved by the Ministry of Agriculture and Food;
- (db) prescribing standards for the establishment and operation of all premises, facilities and equipment used in a grain elevator;
- (dc) prescribing the methods for taking grain samples.

9. This Act comes into force on the day it receives Royal Assent. Commence-
ment

10. The short title of this Act is the *Grain Elevator Storage Amendment Act, 1988*. Short title

CHAPTER 68

An Act to revise the Farm Products Containers Act

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“association” means an association of producers;

“container” includes any bag, basket, bottle, box, can, carton, crate, pot or other receptacle used or suitable for use in the marketing of farm products;

“farm products” means such fruit, honey, maple products, vegetables, plants, flowers, mushrooms, seeds and articles of food or drink manufactured or derived in whole or in part from any of those products as are designated in the regulations;

“licence” means a licence provided for in the regulations;

“Minister” means the Minister of Agriculture and Food or such other member of the Executive Council to whom the administration of this Act may be assigned;

“producer” means a person engaged in the production of farm products and includes a person engaged in the handling, packing, processing, shipping, transporting, purchasing or selling of farm products;

“regulations” means regulations made under this Act.

2. The Minister may appoint a Director to administer and enforce this Act and may appoint inspectors, who shall be under the supervision of the Director, to carry out the audits authorized under subsection 4 (1).

Minister may
appoint
Director,
inspectors

Regulations

3. If the Minister receives from an association a request that, for the purpose of defraying the expenses of the association, every producer specified in the request who purchases containers be required to be licensed and to pay licence fees and the Minister is of the opinion that the association is representative of the producers, the Lieutenant Governor in Council may make regulations,

- (a) designating the association as one to which this Act applies;
- (b) providing for the licensing of every producer and requiring the producer to pay licence fees to the association directly in respect of containers purchased outside Ontario and to the seller on behalf of the association in respect of containers purchased in Ontario;
- (c) fixing the amount of the licence fees and the time of payment thereof;
- (d) exempting from the regulations any class of producer;
- (e) exempting from the regulations any type of container;
- (f) designating farm products or classes of farm products to which this Act applies;
- (g) requiring every person who sells containers either directly or indirectly to producers to collect the licence fees from the producers and to pay them to the association;
- (h) requiring the sellers of containers in Ontario and the producers who purchase containers outside Ontario to pay interest on overdue fees payable and prescribing the rate of interest;
- (i) requiring the association to provide an annual written report to the Minister setting out the amount of fees collected and for what purpose the fees were used;
- (j) requiring persons engaged in selling containers to producers to furnish to the association such information relating to the sale of containers, including the completing and filing of returns, as the association determines;

- (k) requiring the association to appoint auditors to audit the records of producers and sellers of containers;
- (l) restricting the purposes for which an association may use licence fees;
- (m) prohibiting the association from using any licence fees for the retail or wholesale distribution or processing of the farm product;
- (n) providing for the recovery by the association of licence fees in any court of competent jurisdiction, and requiring persons engaged in selling containers to producers to account for licence fees payable to the association;
- (o) prescribing fees payable to the Treasurer of Ontario for an audit by an inspector of the records of an association.

4.—(1) The records of associations that relate to the purchase or sale of containers may be audited by an inspector. Audit by inspector

(2) Every association shall, upon the request of an inspector, produce or furnish their records that relate to the receipt and expenditure of fees received from sellers of containers and producers who have purchased containers outside Ontario. Idem

5.—(1) The records of producers and sellers of containers that relate to the purchase or sale of containers may be audited by an auditor appointed by the association. Audit by association

(2) Every seller of containers and every producer shall, upon the request of an auditor, produce or furnish their records that relate to the purchase or sale of containers. Records to be produced

6.—(1) An inspector or auditor, as applicable, may enter and have access to any premises for the purpose of examining the records mentioned in subsection 4 (1) or 5 (1). Examination of records

(2) An inspector or auditor may remove the records in order to make copies but shall immediately return them. Copies of record

(3) Subsection (1) is not authority to enter a private residence without the consent of the occupier. Private residence

(4) The authority under subsection (1) shall be exercised only at reasonable times. Reasonable times

Identification
to be
produced

(5) An inspector or auditor exercising the authority under subsection (1) shall carry identification showing evidence of his or her appointment and shall produce the identification upon request.

Copy as
evidence

(6) A copy of a record purporting to be certified by an inspector or auditor to be a copy made under subsection (2) is admissible in evidence in a judicial proceeding and has the same evidentiary value as the original document without proof of the signature of the inspector or auditor or of his or her being in fact the inspector or auditor.

Obstruction
of inspector

(7) No person shall hinder or obstruct an inspector or auditor in the course of his or her duties or furnish the inspector or auditor with false information or refuse to furnish him or her with information.

Offence

7. A person who contravenes any provision of this Act or the regulations is guilty of an offence and on conviction is liable to a fine of not more than \$5,000 for a first offence and to a fine of not more than \$10,000 for a subsequent offence.

Repeal

8. The *Farm Products Containers Act, 1982*, being chapter 53, is repealed.

Commence-
ment

9. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

10. The short title of this Act is the *Farm Products Containers Act, 1988*.

CHAPTER 69

An Act to amend the Courts of Justice Act, 1984

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 146 (1) of the *Courts of Justice Act, 1984*, being chapter 11, is amended by adding thereto the following clause:

- (c) broadcast or reproduce an audio recording made as described in clause (2) (b).

(2) Clause 146 (2) (b) of the said Act is repealed and the following substituted therefor:

- (b) prohibits a solicitor, a party acting in person or a journalist from unobtrusively making an audio recording at a court hearing, in the manner that has been approved by the judge, for the sole purpose of supplementing or replacing handwritten notes.

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. The short title of this Act is the *Courts of Justice Amendment Act, 1988*. Short title

CHAPTER 70

**An Act to amend the
Municipality of Metropolitan Toronto Act**

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 120d (5) of the *Municipality of Metropolitan Toronto Act*, being chapter 314 of the Revised Statutes of Ontario, 1980, as enacted by the Statutes of Ontario, 1986, chapter 29, section 13, is repealed and the following substituted therefor:

(5) Every employee of a board of education who on the 31st day of December, 1988 is employed, Secondment
of employees

(a) exclusively at or in respect of a school or class operated under Part XI of the *Education Act*; or R.S.O. 1980,
c. 129

(b) by the board of education as an elementary school teacher or secondary school teacher of a class operated under Part XI of the *Education Act* and accepts as part of the employee's teaching schedule an assignment to a class in which English is the language of instruction,

is seconded to the Council by the board of education for the period from and including the 1st day of January, 1989 up to and including the 31st day of August, 1990.

(6) The Council shall reimburse the board of education with respect to each employee of the board of education who is seconded under subsection (5) for the salary and benefits paid or provided by the board of education to the employee during the period of the secondment. Council to
reimburse
board

(7) Where there is a dispute between an employee of a board of education and the board of education as to whether or not the employee is seconded to the Council under subsection (5), the dispute shall be treated as a grievance and shall Dispute

be dealt with under the appropriate collective agreement, employment contract or employment relationship, as the case may be, as if the dispute were specifically grievable under the terms of employment of the employee.

Supervision
of employees

(8) The Council may make representations to the board of education that employs an employee who is seconded under subsection (5) in respect of matters that relate to the supervision of the employee.

Assignment
of employees

(9) The Council shall assign each person who is seconded under subsection (5) to,

- (a) the position held by the person on the last school day in December in the year 1988; or
- (b) the position projected to be held by the employee for the remainder of the school year that commenced in the year 1988,

as the case requires.

Adjustment
of assignment

(10) Where the Council adjusts the assignment of an employee who is seconded to it in respect of the period that begins on the 1st day of September, 1989 and ends on the 31st day of August, 1990, the Council shall endeavour to place the employee in a position that is substantially similar to that held by the employee immediately prior to the secondment.

Reduction in
staff of
Council

(11) Where a position cannot be filled because there is a reduction in the number of staff required by the Council, the Council shall give notice that sets out that fact to the School Board and to the board of education from which the employee is seconded and, upon the giving of the notice, the employee ceases to be seconded to the Council.

Notice

(12) The notice referred to in subsection (11) shall be given on or before a date that is determined by the School Board.

Option

(13) On or before the 5th day of December, 1989, each board of education shall give an option in writing to each of its employees who is seconded to the Council under subsection (5) either,

- (a) to have the teaching contract, contract of employment or employment relationship, as the case may be, of the employee transferred from the board of education to the Council as employer and continue employment with the Council in the position occupied by the employee on the last school day in

June, 1990 or in a position that is substantially similar thereto upon the terms of employment with the board of education that applied with respect to the employee on the 31st day of August, 1990 or as may become effective between the employee and the Council on the 1st day of September, 1990, as the case requires; or

- (b) to return to and resume duties with the board of education effective the 1st day of September, 1990 in a school or a class that is not a school or a class operated under Part XI of the *Education Act*, in a position that is substantially similar to that held by the employee while on secondment to the Council.

R.S.O. 1980,
c. 129

(14) The option given by the board of education shall be exercised by the employee by notice in writing to the board of education on or before the 15th day of January, 1990.

Idem

(15) A copy of the notice given to the board of education under subsection (14) shall at the same time be sent by the employee to the Council.

Copy of
notice

(16) A board of education that receives a notice with respect to an option referred to in clause (13) (a) or that has not received a notice in respect of an employee to whom an option was given shall, before the 1st day of September, 1990, assign the teaching contract, employment contract or employment relationship of the employee to the Council by giving notice in writing to the Council and to the employee.

Assignment
of contract

(17) An employee who exercises the option referred to in clause (13) (a) is, effective the 1st day of September, 1990, an employee of the Council.

Status of
employee

(18) Employees referred to in subsections (17) and (21) who are teachers are, for the purposes of this Act, deemed to constitute bargaining units under the *School Boards and Teachers Collective Negotiations Act* having regard to the employment of the employees and each such bargaining unit is deemed to have given notice to the Council of its intention under section 9 of that Act to negotiate with the view to making an agreement.

Notice to
Council

R.S.O. 1980,
c. 464

(19) An employee who exercises the option referred to in clause (13) (a) or who is deemed to have exercised such an option under subsection (21) and for whom, as of the 1st day of September, 1990, no new terms of employment have been agreed upon with the Council, shall continue to receive the salary and benefits to which the employee was entitled as an

Exercise of
option

employee of the board of education until such time as new terms and conditions of employment with the Council are agreed upon.

Idem

(20) An employee who exercises the option referred to in clause (13) (b) is, effective the 1st day of September, 1990, no longer seconded to the Council and shall return to and resume duties with the appropriate board of education in a school or class that is not a school or a class operated under Part XI of the *Education Act*, in a position that is substantially similar to that held by the employee while on secondment to the Council.

R.S.O. 1980,
c. 129

Idem

(21) An employee who does not exercise the option given by the board of education on or before the 15th day of January, 1990 shall be deemed to have exercised the option referred to in clause (13) (a) and is, effective the 1st day of September, 1990, an employee of the Council.

Continuous
service

(22) An assignment of a teaching contract, employment contract or employment relationship does not constitute a break in the continuous service of the employee.

Seniority

(23) An employee whose teaching contract, employment contract or employment relationship is assigned to the Council shall continue employment with the Council with the same seniority and the same status with respect to being a probationary or permanent employee that the employee had with the appropriate board of education.

Retirement
gratuity

(24) Where an employee whose teaching contract, employment contract or employment relationship is assigned to the Council retires, the amount of the retirement gratuity paid to the employee shall be shared by the board of education that made the assignment and the Council in the ratio that the number of years of service of the employee with each bears to the total number of years of service of the employee with the board of education and the Council.

Bargaining
unit, transi-
tional

(25) Where the Council appoints a person as an elementary school teacher or a secondary school teacher, the teacher so appointed shall be deemed to be a member of the bargaining unit under the appropriate collective agreement referred to in section 130a that relates to the employment of the teacher and, where appropriate having regard to the location where the teacher is employed, the appropriate collective agreement referred to in section 130g, as if the Council were a party to each collective agreement.

(26) Where the Council appoints a person as an employee, other than as a teacher, the person so appointed shall be deemed to be a member of the bargaining unit under the appropriate collective agreement having regard to the employment of the person and the location of the employment, as if the Council were a party to the collective agreement.

Idem

(27) In this section, “seniority” means seniority as agreed upon between the board of education that employed the person and the organization that entered into a collective agreement with the board of education in respect of the person or, where there is no collective agreement, in accordance with the policy of the board of education.

Definition

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Municipality of Metropolitan Toronto Amendment Act, 1988 (No. 3)*.

Short title

CHAPTER 71

**An Act for the establishment and conduct of a
Project to provide Funding to Intervenor in
proceedings before a Joint Board
under the Consolidated Hearings Act, 1981
and before the Ontario Energy Board and the
Environmental Assessment Board
and to provide for certain matters in relation to
costs before those Boards**

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of the Province of Ontario, enacts as
follows:

PART I

INTERVENOR FUNDING

Definitions

1. In this Part,

"commis-
sion"

"board" means a joint board, the Ontario Energy Board or
the Environmental Assessment Board;

"comité
d'aide
financière"

"funding panel" means an intervenor funding panel appointed
under this Part;

"proposant
tenu de
verser une
aide
financière"

"funding proponent" means a proponent who has been named
by a funding panel as a funding proponent;

"intervenant"

"intervenor" means a person or group of persons that has
been granted status as an intervenor in a proceeding before a
board;

"aide
financière
aux
intervenants"

"intervenor funding" means funding awarded under this Part
to an intervenor in advance of a hearing before a board;

"commission
mixte"
1981, c. 20

"joint board" means a joint board established under the
Consolidated Hearings Act, 1981 to consider a matter
arising under the *Environmental Assessment Act*, the

CHAPITRE 71

**Loi concernant la mise sur pied et la direction
d'un projet visant à fournir une aide financière aux
intervenants dans des affaires instruites devant
une commission mixte créée en vertu de la
Loi de 1981 sur la jonction des audiences,
devant la Commission de l'énergie de l'Ontario et
devant la Commission des évaluations
environnementales et visant certaines questions
relatives aux dépens adjugés par ces commissions**

Sanctionnée le 15 décembre 1988

SA MAJESTÉ, sur l'avis et avec le consentement de
l'Assemblée législative de la province de l'Ontario, décrète ce
qui suit :

PARTIE I

AIDE FINANCIÈRE AUX INTERVENANTS

1 Les définitions qui suivent s'appliquent à la présente loi. Définitions

«aide financière aux intervenants» Aide financière accordée
aux intervenants en vertu de la présente partie avant une
audience devant une commission. «intervenor
funding»

«comité d'aide financière» Comité d'aide financière aux inter-
venants constitué aux termes de la présente partie. «funding
panel»

«commission» Une commission mixte, la Commission de
l'énergie de l'Ontario ou la Commission des évaluations
environnementales. «board»

«commission mixte» Commission mixte créée en vertu de la
Loi de 1981 sur la jonction des audiences pour examiner
une question se rapportant à la *Loi sur les évaluations
environnementales*, la *Loi sur la protection de l'en-
vironnement* ou la *Loi sur les ressources en eau de
l'Ontario*. «joint board»
1981, chap. 20
L.R.O. 1980,
chap. 140,
141, 361

R.S.O. 1980,
cc. 140, 141,
361

Environmental Protection Act or the *Ontario Water Resources Act*;

"proposant"

"proponent" means a party whose undertaking, in the opinion of a funding panel, is the subject-matter of the hearing or another party or individual or corporation, who, in the opinion of a funding panel, is potentially a major financial beneficiary of the decision of the board.

Purpose

2. The purpose of this Part is to provide for the establishment and conduct of a pilot project related to the provision of intervenor funding in proceedings before boards.

Right to
apply for
intervenor
funding

3.—(1) An intervenor in a proceeding before a board may apply to the board, as provided under this Part, for intervenor funding.

Notice

(2) A board shall set out in its notices of hearing,

(a) a statement of the right set out in subsection (1); and

(b) a brief statement of where and when applications for status as an intervenor can be made.

Idem

(3) As soon as all applications for intervenor status have been decided, the board shall notify all intervenors of their right to apply for intervenor funding and it shall forthwith advise the intervenors of the last date for making an application.

Adjournment

(4) After determining all issues related to intervenor status, a board shall not proceed further with a hearing,

(a) until the last date for applying for intervenor funding has passed and no applications are received; or

(b) until the funding panel for the hearing has advised the board that all applications for intervenor funding have been decided if any applications are received.

«**intervenant**» Personne ou groupe de personnes qui s'est vu accorder la qualité d'intervenant dans une instance devant une commission. «**intervenor**»

«**proposant**» Partie dont l'entreprise, de l'avis d'un comité d'aide financière, fait l'objet de l'audience, ou une autre partie, personne physique ou personne morale qui, de l'avis d'un comité d'aide financière, est potentiellement un bénéficiaire financier majeur de la décision de la commission. «**proponent**»

«**proposant tenu de verser une aide financière**» Proposant qu'un comité d'aide financière nomme comme proposant tenu de verser une aide financière aux intervenants. «**funding proponent**»

2 L'objet de la présente partie est de prévoir la mise sur pied et la direction d'un projet pilote visant à fournir une aide financière aux intervenants dans les instances devant les commissions. Objet

3 (1) Un intervenant dans une instance devant une commission peut demander à celle-ci, comme le prévoit la présente partie, une aide financière aux intervenants. Droit de demander une aide financière

(2) Figurent dans les avis d'audience d'une commission : Avis

- a) une déclaration relative au droit énoncé au paragraphe (1);
- b) une courte déclaration indiquant où et quand les demandes d'octroi de la qualité d'intervenant peuvent être présentées.

(3) Dès qu'une décision a été rendue relativement à toutes les demandes d'octroi de la qualité d'intervenant, la commission avise tous les intervenants de leur droit de faire une demande d'aide financière aux intervenants. Elle avise sans délai les intervenants de la date limite de présentation de cette dernière demande. Idem

(4) Après avoir décidé toutes les questions relatives à la qualité d'intervenant, une commission ne doit pas poursuivre une audience : Ajournement

- a) avant que la date limite pour faire une demande d'aide financière aux intervenants ne soit passée, si aucune demande n'a été reçue;
- b) avant que le comité d'aide financière constitué pour l'audience ne l'informe qu'il a statué sur toutes les demandes d'aide financière aux intervenants, si des demandes ont été reçues.

Intervenor
funding panel
required

4.—(1) An intervenor funding panel shall be appointed for a hearing before a board if any applications are received for intervenor funding.

Duty of
funding
panels

(2) A funding panel shall determine, with respect to the hearing for which it is appointed, all issues related to the determination of who are the proponents and funding proponents and eligibility for intervenor funding and the amount of the funding.

Restriction

(3) A member of a funding panel shall not determine any issue in the hearing for which the panel was appointed other than those referred to in subsection (2).

Composition
and
appointment
of funding
panels

5.—(1) Except in the case of a joint board, a funding panel shall consist of one person named by the chairperson of the board from among its members.

Idem

(2) The funding panel of a joint board shall consist of one person named by the chairperson of the Ontario Municipal Board from among its members and one person named by the chairperson of the Environmental Assessment Board from among its members.

Chairperson

(3) The member named under subsection (2) by the chairperson of the Environmental Assessment Board shall be the chairperson of the funding panel of the joint board.

Decision of
joint board

(4) If the members of the funding panel of a joint board are unable to reach a common decision, the decision of the panel's chairperson shall be deemed to be the panel's decision.

Funding
proponents

6.—(1) Before dealing with any applications for intervenor funding, a funding panel shall determine who is or are the funding proponents.

Notice

(2) For purposes of the determination required by subsection (1), a funding panel shall give notice to a proponent of its intention to name the proponent as a funding proponent.

Hearing

(3) If a proponent who receives a notice under subsection (2) files with the board an objection to being named as a funding proponent, the funding panel shall hold a hearing to determine whether the proponent will be named as a funding proponent.

4 (1) Un comité d'aide financière est constitué pour une audience devant une commission si celle-ci reçoit des demandes d'aide financière aux intervenants.

Comité d'aide financière

(2) Un comité d'aide financière décide, relativement à l'audience pour laquelle il a été constitué, toutes les questions relatives à l'identité des proposants, à l'identité des proposants tenus de verser une aide financière, à l'admissibilité des demandeurs à l'aide financière aux intervenants et au montant de l'aide financière accordée.

Devoir des comités d'aide financière

(3) Un membre d'un comité d'aide financière ne doit trancher, à l'audience pour laquelle le comité a été constitué, aucune question qui n'est pas visée au paragraphe (2).

Réserve

5 (1) Sauf dans le cas d'une commission mixte, un comité d'aide financière se compose d'une personne nommée par le président de la commission parmi les membres de celle-ci.

Composition et constitution des comités d'aide financière

(2) Le comité d'aide financière d'une commission mixte se compose d'une personne nommée par le président de la Commission des affaires municipales de l'Ontario parmi les membres de celle-ci et d'une personne nommée par le président de la Commission des évaluations environnementales parmi les membres de celle-ci.

Idem

(3) Le membre nommé aux termes du paragraphe (2) par le président de la Commission des évaluations environnementales préside le comité d'aide financière de la commission mixte.

Président

(4) Si les membres du comité d'aide financière d'une commission mixte ne peuvent pas s'entendre sur une décision, la décision du président du comité est réputée la décision du comité.

Décision de la commission mixte

6 (1) Avant de traiter une demande d'aide financière aux intervenants, un comité d'aide financière décide de l'identité des proposants tenus de verser une aide financière.

Proposants tenus de verser une aide financière

(2) Aux fins de la décision qu'exige le paragraphe (1), un comité d'aide financière avise un proposant de son intention de nommer le proposant comme proposant tenu de verser une aide financière aux intervenants.

Avis

(3) Si un proposant qui reçoit un avis aux termes du paragraphe (2) dépose auprès de la commission une objection à être nommé comme proposant tenu de verser une aide financière, le comité d'aide financière tient une audience pour décider si le proposant sera nommé comme proposant tenu de verser une aide financière.

Audience

Deemed
funding
proponent

(4) A proponent who does not file an objection within the time allowed by the funding panel shall be named as a funding proponent.

Power of
board

(5) A funding panel may decide that there is no funding proponent.

Party status

(6) A funding proponent is entitled to be a party to hearings before the funding panel and with respect to applications under section 12.

Eligibility for
intervenor
funding

7.—(1) Intervenor funding may be awarded only in relation to issues,

- (a) which, in the opinion of the funding panel, affect a significant segment of the public; and
- (b) which, in the opinion of the funding panel, affect the public interest and not just private interests.

Idem

(2) In deciding whether to award intervenor funding to an intervenor, the funding panel shall consider whether,

- (a) the intervenor represents a clearly ascertainable interest that should be represented at the hearing;
- (b) separate and adequate representation of the interest would assist the board and contribute substantially to the hearing;
- (c) the intervenor does not have sufficient financial resources to enable it to adequately represent the interest;
- (d) the intervenor has made reasonable efforts to raise funding from other sources;
- (e) the intervenor has an established record of concern for and commitment to the interest;
- (f) the intervenor has attempted to bring related interests of which it was aware into an umbrella group to represent the related interests at the hearing;
- (g) the intervenor has a clear proposal for its use of any funds which might be awarded; and

(4) Un proposant qui ne dépose pas d'objection dans le délai imparti par le comité d'aide financière est nommé comme proposant tenu de verser une aide financière.

Réputé
proposant
tenu de
verser une
aide
financière

(5) Le comité d'aide financière peut décider qu'il n'y a aucun proposant tenu de verser une aide financière.

Pouvoir du
comité

(6) Un proposant tenu de verser une aide financière est partie aux audiences devant le comité d'aide financière, ainsi qu'aux demandes présentées en vertu de l'article 12.

Partie à
l'audience

7 (1) L'aide financière aux intervenants n'est accordée qu'à l'égard de questions qui, de l'avis du comité d'aide financière :

Admissibilité
à une aide
financière aux
intervenants

- a) touchent une partie importante du public;
- b) concernent l'intérêt public et non seulement des intérêts privés.

(2) Lorsqu'il décide s'il doit accorder à un intervenant l'aide financière aux intervenants, le comité d'aide financière examine si :

Idem

- a) l'intervenant représente un intérêt clairement établi qu'il y a lieu de représenter à l'audience;
- b) une représentation distincte et satisfaisante de l'intérêt serait utile à la commission et contribuerait de façon importante à l'audience;
- c) l'intervenant ne dispose pas de ressources financières suffisantes pour lui permettre de représenter l'intérêt de façon satisfaisante;
- d) l'intervenant a fait des efforts raisonnables pour se procurer des fonds par d'autres moyens;
- e) l'intervenant s'est prononcé et engagé en faveur de l'intérêt par le passé;
- f) l'intervenant a tenté d'effectuer un regroupement d'intérêts connexes dont il a connaissance à des fins de représentation à l'audience;
- g) l'intervenant a clairement formulé l'utilisation qu'il se propose de faire des fonds qui pourraient lui être octroyés;

- (h) the intervenor has appropriate financial controls to ensure that the funds, if awarded, are spent for the purposes of the award.

Idem

(3) In determining the amount of an award of intervenor funding, the funding panel shall,

- (a) if the proposal includes the use of lawyers in private practice, assess legal fees at the legal aid rate under the legal aid plan in effect on the day of the award for work necessarily and reasonably performed;
- (b) set a ceiling in respect of disbursements that may be paid as part of the award and such disbursements shall be restricted to eligible disbursements;
- (c) deduct from the award funds that are reasonably available to the applicant from other sources.

Idem

(4) A funding panel may award intervenor funding subject to such conditions as it sets out in its order.

Definition
"debours
remboursa-
bles"

(5) In clause (3) (b), "eligible disbursements" means disbursements for consultants, expert witnesses, typing, printing, copying and transcripts necessary for the representation of the interest and such other expenditures as may be named in the regulations made under this Part as eligible disbursements.

Proponent to
pay

8.—(1) An award of intervenor funding is an award against the funding proponent named in the order of the funding panel and shall be paid by the funding proponent at the times and in the amounts specified in the panel's order.

Idem

(2) If there is more than one funding proponent, the funding panel may determine the proportion of an award of intervenor funding that each funding proponent shall pay.

Idem

(3) If the funding panel is of the opinion that an award of intervenor funding will result in significant financial hardship to the funding proponent, the panel may refuse to make the award or it may reduce the size of the award.

Supervision

9.—(1) It is a condition of every award of intervenor funding that the intervenor in whose favour an award is made allow the board under whose jurisdiction the award was made, or its agents, access to the books and records of the intervenor to insure that conditions set by the funding panel are being or have been met.

- h) l'intervenant dispose de moyens comptables suffisants pour garantir que les fonds octroyés, le cas échéant, sont utilisés aux fins reconnues.

(3) Lorsqu'il décide du montant accordé au titre de l'aide financière aux intervenants, le comité d'aide financière : Idem

- a) évalue les frais de justice pour les travaux nécessaires et raisonnables effectués, selon le barème du régime d'aide juridique en vigueur à la date de l'octroi de l'aide financière, si la proposition comprend le recours à des avocats établis en pratique privée;
- b) fixe un plafond à l'égard des débours qui peuvent être versés comme partie du montant accordé, ces débours étant limités aux débours remboursables;
- c) déduit du montant accordé les sommes que l'auteur de la demande peut raisonnablement se procurer par d'autres moyens.

(4) Un comité d'aide financière peut soumettre l'octroi d'une aide financière aux intervenants aux conditions qu'il énonce dans son ordre. Idem

(5) À l'alinéa (3) b), «débours remboursables» s'entend des débours pour les experts-conseils, les témoins experts et les travaux de dactylographie, d'impression, de photocopie et de transcription nécessaires à la représentation de l'intérêt et toute autre dépense qualifiée de remboursable dans les règlements pris en application de la présente partie. Définition
«eligible
disbursements»

8 (1) Le proposant tenu de verser une aide financière nommé dans l'ordre du comité d'aide financière est condamné à verser l'aide financière accordée dans les délais et aux montants précisés dans cet ordre. Remboursement par le
proposant

(2) S'il y a plus d'un proposant tenu de verser une aide financière, le comité d'aide financière peut déterminer la part de l'aide financière aux intervenants que verse chaque proposant tenu de verser une aide financière. Idem

(3) Si le comité d'aide financière est d'avis que la condamnation à verser une aide financière aux intervenants entraînera un préjudice financier grave pour le proposant tenu de verser une aide financière, il peut refuser d'accorder le montant ou le diminuer. Idem

9 (1) Les montants accordés au titre de l'aide financière aux intervenants le sont à la condition que l'intervenant bénéficiaire du montant donne à la commission compétente ou à Supervision

Enforcement
of conditions

(2) If an intervenor fails without reasonable cause to comply with the conditions of an award, the intervenor and its directors and officers, upon the order of the board, shall be jointly and severally liable to repay to the proponent the amount of the award, or such part thereof, as the board may order.

Rules

10. Rules regulating the practice and procedure for matters to be determined under this Act in relation to hearings before a board may be made in the same manner as rules regulating the practice and procedure of the board.

Regulations

11. The Lieutenant Governor in Council may make regulations naming expenditures that shall be considered to be eligible disbursements.

Supple-
mentary
funding

12.—(1) An intervenor who has received intervenor funding may apply to the board at any time up to the end of the hearing for supplementary funding and the board may award the funding if it is of the opinion, having regard to all of the circumstances, that the original award was inadequate.

Idem

(2) Sections 7 to 11 apply with necessary modifications to supplementary funding.

Costs

(3) The amount of intervenor funding received by an intervenor shall be deducted by the board from any costs awarded to the intervenor.

Appeals

13.—(1) An appeal lies only on a matter of law with respect to a decision on intervenor funding.

High Court

(2) An appeal shall be commenced by way of application to the High Court and shall be heard by a single judge.

Powers of
judge

(3) If the judge finds an error of law, the judge may,

- (a) make any order or decision that the funding panel or board, as the case may be, ought to have or could have made;
- (b) order a rehearing by the funding panel or the board, as the case may be;

ses représentants accès à ses livres et dossiers afin de garantir que les conditions imposées par le comité d'aide financière sont ou ont été respectées.

(2) Si un intervenant, sans motifs valables, ne se conforme pas aux conditions de l'octroi d'une aide financière, l'intervenant, ses administrateurs et ses dirigeants sont solidairement tenus de rembourser au proposant, sur ordre de la commission, tout ou partie du montant accordé, selon ce qu'ordonne la commission.

Mise à
exécution

10 Des règles peuvent être établies pour régir la pratique et la procédure relatives aux questions à trancher aux termes de la présente loi dans le cadre d'audiences devant une commission, de la même manière que les règles pour régir la pratique et la procédure de la commission.

Règles

11 Le lieutenant-gouverneur en conseil peut, par règlement, énumérer les dépenses qui constituent des débours remboursables.

Règlements

12 (1) Un intervenant qui a reçu une aide financière aux intervenants peut, jusqu'à la fin de l'audience, présenter à la commission une demande d'aide financière supplémentaire. La commission peut accorder cette aide financière si elle estime, eu égard à l'ensemble des circonstances, que le montant initialement accordé était insuffisant.

Aide finan-
cière supplé-
mentaire

(2) Les articles 7 à 11 s'appliquent, avec les adaptations nécessaires, à l'aide financière supplémentaire.

Idem

(3) La commission déduit des dépens adjugés à un intervenant le montant de l'aide financière aux intervenants obtenue par l'intervenant.

Dépens

13 (1) Il peut être interjeté appel uniquement d'une question de droit relative à une décision sur l'aide financière aux intervenants.

Appels

(2) Un appel est introduit par voie de requête présentée à la Haute Cour. Il est entendu par un seul juge.

Haute Cour

(3) Si le juge constate une erreur de droit, il peut :

Pouvoirs du
juge

- a) rendre l'ordonnance ou prendre la décision que le comité d'aide financière ou la commission, selon le cas, aurait dû ou aurait pu rendre ou prendre;
- b) ordonner une nouvelle audition par le comité d'aide financière ou par la commission, selon le cas;

(c) dismiss the appeal.

Crown bound **14.** This Part binds the Crown.

Application **15.** This Part applies only to hearings in relation to which public notice of hearing is first given after the coming into force of this section.

Repeal **16.—(1)** This Part is repealed on the day that is three years after the day it comes into force or on such day thereafter as is named by proclamation of the Lieutenant Governor.

Transitional (2) Proceedings commenced before the repeal of this Part shall be taken up and completed as if it had not been repealed.

PART II

AMENDMENTS TO CERTAIN ACTS

17. Section 7 of the *Consolidated Hearings Act, 1981*, being chapter 20, is amended by adding thereto the following subsection:

Considerations not limited (7) In awarding costs, a joint board is not limited to the considerations that govern awards of costs in any court.

18. Section 18 of the *Environmental Assessment Act*, being chapter 140 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following subsections:

Costs (16a) The Board may award the costs of a proceeding before it.

Payment (16b) The Board may order to whom and by whom the costs are to be paid.

Assessment (16c) The Board may fix the amount of the costs or direct that the amount be assessed and it may direct the scale according to which they are to be assessed and by whom they are to be assessed.

Considerations not limited (16d) In awarding costs, the Board is not limited to the considerations that govern awards of costs in any court.

19. Subsections 33 (5), (6), (7) and (8) of the *Environmental Protection Act*, being chapter 141 of the Revised Statutes of Ontario, 1980, as enacted by the Statutes of Ontario, 1988, chapter 54, section 22, are repealed.

c) rejeter l'appel.

14 La présente partie lie la Couronne.

La Couronne
est liée

15 La présente partie s'applique uniquement aux audiences à l'égard desquelles un premier avis d'audience public est donné après l'entrée en vigueur du présent article.

Champ
d'application

16 (1) La présente partie est abrogée trois ans après son entrée en vigueur ou à une date ultérieure que le lieutenant-gouverneur fixe par proclamation.

Abrogation

(2) Les instances introduites avant l'abrogation de la présente partie sont poursuivies et menées à bien comme si la présente partie n'avait pas été abrogée.

Disposition
transitoire

PARTIE II

MODIFICATION DE CERTAINES LOIS

17 L'article 7 de la *Loi de 1981 sur la jonction des audiences*, qui constitue le chapitre 20, est modifié par adjonction du paragraphe suivant :

(7) In awarding costs, a joint board is not limited to the considerations that govern awards of costs in any court.

Considerations
not limited

18 L'article 18 de la *Loi sur les évaluations environnementales*, qui constitue le chapitre 140 des Lois refondues de l'Ontario de 1980, est modifié par adjonction des paragraphes suivants :

(16a) The Board may award the costs of a proceeding before it.

Costs

(16b) The Board may order to whom and by whom the costs are to be paid.

Payment

(16c) The Board may fix the amount of the costs or direct that the amount be assessed and it may direct the scale according to which they are to be assessed and by whom they are to be assessed.

Assessment

(16d) In awarding costs, the Board is not limited to the considerations that govern awards of costs in any court.

Considerations
not limited

19 Les paragraphes 33 (5), (6), (7) et (8) de la *Loi sur la protection de l'environnement*, qui constitue le chapitre 141 des Lois refondues de l'Ontario de 1980, adoptés par l'article 22 du chapitre 54 des Lois de l'Ontario de 1988, sont abrogés.

20. Section 28 of the *Ontario Energy Board Act*, being chapter 332 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following subsection:

Consider-
ations not
limited

(5) In awarding costs, the Board is not limited to the considerations that govern awards of costs in any court.

21. Subsections 6 (5), (6), (7) and (8) of the *Ontario Water Resources Act*, being chapter 361 of the Revised Statutes of Ontario, 1980, as enacted by the Statutes of Ontario, 1988, chapter 54, section 53, are repealed.

Application

22. The amendments set out in sections 17, 18 and 20 apply only to hearings in relation to which public notice of hearing is first given after the coming into force of this section.

Commence-
ment

23. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

24. The short title of this Act is the *Intervenor Funding Project Act, 1988*.

20 L'article 28 de la *Loi sur la Commission de l'énergie de l'Ontario*, qui constitue le chapitre 332 des Lois refondues de l'Ontario de 1980, est modifié par adjonction du paragraphe suivant :

(5) In awarding costs, the Board is not limited to the considerations that govern awards of costs in any court. Considerations not limited

21 Les paragraphes 6 (5), (6), (7) et (8) de la *Loi sur les ressources en eau de l'Ontario*, qui constitue le chapitre 361 des Lois refondues de l'Ontario de 1980, adoptés par l'article 53 du chapitre 54 des Lois de l'Ontario de 1988, sont abrogés.

22 Les modifications indiquées aux articles 17, 18 et 20 s'appliquent uniquement aux audiences à l'égard desquelles un premier avis d'audience public est donné après l'entrée en vigueur du présent article. Champ d'application

23 La présente loi entre en vigueur le jour que le lieutenant-gouverneur fixe par proclamation. Entrée en vigueur

24 Le titre abrégé de la présente loi est *Loi de 1988 sur le projet d'aide financière aux intervenants*. Titre abrégé

CHAPTER 72

An Act to amend the Legislative Assembly Act

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 38 of the *Legislative Assembly Act*, being chapter 235 of the Revised Statutes of Ontario, 1980, is amended by striking out “detention or molestation” in the second line and inserting in lieu thereof “or detention”.

2. The said Act is amended by adding thereto the following section:

38a. No person shall make a personal service that is required or authorized by law in a civil matter upon another person, Service of
civil process

- (a) in the Legislative Building;
- (b) in a room or place in Ontario in which a duly constituted committee of the Assembly is meeting; or
- (c) in an office of a member of the Assembly, other than a constituency office, that is situate outside the Legislative Building, and that is designated by the Speaker for the purposes of this section.

3.—(1) Paragraph 11 of subsection 45 (1) of the said Act is amended by striking out “detention or molestation” in the first and second lines and inserting in lieu thereof “or detention”.

(2) Subsection 45 (1) of the said Act is amended by adding thereto the following paragraph:

- 12. Making a service upon a person in contravention of section 38a. Service of
civil process

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Legislative Assembly Amendment Act, 1988 (No. 2)*.

CHAPTER 73

An Act to amend the Income Tax Act

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 15 of subsection 1 (1) of the *Income Tax Act*, being chapter 213 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

15. "individual" means a person other than a corporation and includes a trust referred to in subdivision k of Division B of Part I of the Federal Act.

2. Section 2b of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 40, section 1 and amended by the Statutes of Ontario, 1987, chapter 27, section 1, is repealed and the following substituted therefor:

2b. Every individual shall, in addition to the amount of tax otherwise payable by the individual under this Act, pay an additional income tax in respect of the 1988 and subsequent taxation years equal to 10 per cent of the amount, if any, by which the tax that would be otherwise payable for the taxation year under this Act, before any deduction authorized under subsection 3 (8) or section 7, exceeds \$10,000. Surcharge

3.—(1) Clause 3 (5) (1) of the said Act, as enacted by the Statutes of Ontario, 1985, chapter 12, section 2, is repealed and the following substituted therefor:

- (l) 50 per cent in respect of the 1986 and 1987 taxation years;
- (m) 51 per cent in respect of the 1988 taxation year; and
- (n) 52 per cent in respect of the 1989 and subsequent taxation years.

(2) Clause 3 (6) (a) of the said Act, as amended by the Statutes of Ontario, 1984, chapter 50, section 2, is repealed and the following substituted therefor:

- (a) "tax payable under the Federal Act" means the amount that, but for section 120 of the Federal Act, would be the tax payable by an individual under Part I of that Act for the taxation year in respect of which the expression is being applied, computed as if the individual were not entitled to a deduction under section 126, 127, 127.2 or 127.4 of that Act.

(3) Subsection 3 (7) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 46, section 2, is repealed.

(4) Subsection 3 (8) of the said Act, as amended by the Statutes of Ontario, 1984, chapter 50, section 2, 1985, chapter 12, section 2, 1986, chapter 40, section 2 and 1987, chapter 27, section 2, is repealed and the following substituted therefor:

Foreign tax
credit

(8) An individual who resided in Ontario on the last day of a taxation year and had income for the year that included income earned in a country other than Canada in respect of which non-business-income tax was paid by the individual to the government of a country other than Canada may deduct from the tax payable by the individual under this Act for the taxation year the amount, if any, equal to the lesser of,

- (a) the amount, if any, by which the non-business-income tax paid by the individual for the year to the government of the country other than Canada exceeds all amounts claimed by the individual as a deduction from tax under the Federal Act for the taxation year under subsections 126 (1) or 180.1 (1.1) of that Act or as the individual's special foreign tax credit determined under section 127.54 of that Act; or
- (b) the amount, if any, determined by multiplying the amount of tax otherwise payable under this Act for the taxation year by the ratio of,
 - (i) where the taxation year commences before the 1st day of January, 1986, the amount determined under subparagraph 126 (1) (b) (i) of the Federal Act for the taxation year and, where the taxation year commences after the 31st day of December, 1985, the amount that would be determined under subparagraph 126 (1) (b) (i) of the Federal Act if the indi-

vidual deducts an amount under subsection 122.3 (1) of that Act for the taxation year,

to,

(ii) the amount, if any, by which the individual's income earned in Ontario,

(A) for the taxation year, where section 114 of the Federal Act is not applicable to the individual for the taxation year, plus the amount, if any, added under subsection 110.4 (2) of the Federal Act in computing the individual's taxable income for the taxation year, and

(B) for the period or periods in the taxation year referred to in paragraph 114 (a) of the Federal Act, where section 114 of that Act is applicable to the individual for the taxation year, and

exceeds,

(C) the amount, if any, determined under subclause 126 (1) (b) (ii) (A) (III) of the Federal Act for the taxation year or in respect of the period or periods referred to in sub-subclause (B), as the case may be.

(5) Clause 3 (9) (b) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 50, section 2, is repealed and the following substituted therefor:

(b) the expressions "tax payable" and "tax otherwise payable" mean the amount of tax calculated under this Act that would be payable but for sections 120.1, 121 and 122.3 of the Federal Act, before any deduction permitted under section 7.

(6) Subsection 3 (10) of the said Act is repealed and the following substituted therefor:

(10) A mutual fund trust that is entitled to a refund under section 132 of the Federal Act for a taxation year is entitled to receive, at the time and in the manner provided in section 132 of the Federal Act for the refund under that section, a capital gains refund for the taxation year equal to,

Mutual fund
trust capital
gains refund

- (a) where the mutual fund trust had no income earned in the taxation year outside Ontario, the product of the amount of the refund for the taxation year under section 132 of the Federal Act multiplied by the percentage referred to in subsection (5) to be used in computing the tax payable by the mutual fund trust under this section for the taxation year; or
- (b) where the mutual fund trust had income earned in the taxation year outside Ontario, that proportion of the amount that would be determined under clause (a), if all income earned in the taxation year by the mutual fund trust had been earned in Ontario, that the income earned by it in the taxation year in Ontario is of its total income for the taxation year.

(7) Subsection 3 (10a) of the said Act, as enacted by the Statutes of Ontario, 1985, chapter 12, section 2, is repealed and the following substituted therefor:

Additional
refund

(10a) A mutual fund trust that is entitled to a capital gains refund for a taxation year under subsection (10) and that has paid or is liable for payment of an amount under section 2b for the taxation year is entitled to receive an additional refund for the taxation year equal to the lesser of,

- (a) the amount paid or payable by the mutual fund trust under section 2b for the taxation year; and
- (b) the amount determined by multiplying the mutual fund trust's capital gains refund for the taxation year calculated under subsection (10) by the percentage referred to in section 2b used in the determination of the amount paid or payable by the mutual fund trust under that section for the taxation year.

(8) Subsection 3 (11) of the said Act is repealed.

(9) Subsection 3 (12) of the said Act is repealed and the following substituted therefor:

Application
of refund

(12) Where a mutual fund trust is entitled to receive a refund under subsection (10) and is liable or is about to become liable to make any payment under this Act, the Minister may apply all or part of the amount that would otherwise be refunded under subsection (10), and under subsection (10a) if applicable, to the liability and pay to the mutual fund

trust the balance, if any, of the refund not so applied, and shall notify the mutual fund trust of the application of the amount of the refund not paid to the mutual fund trust.

4. Subsections 6 (1) and (2) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 13, section 2, are repealed and the following substituted therefor:

(1) Where the tax otherwise payable by an individual under this Act for a taxation year does not exceed the amount prescribed for the purpose of this subsection for the taxation year, no tax is payable under this Act by the individual for the taxation year. No tax payable

(2) Where the tax otherwise payable by an individual under this Act for a taxation year exceeds the amount prescribed for the purpose of subsection (1) for the taxation year, but is less than the amount prescribed for the purpose of this subsection for the taxation year, the tax payable under this Act may be reduced by an amount equal to the difference between twice the amount prescribed for the purpose of this subsection for the taxation year less twice the amount of tax otherwise payable under this Act for the taxation year. Tax reduction

(2a) For the purposes of this section, the amount prescribed for the purpose of subsection (1) for the 1988 taxation year is \$150 and the amount prescribed for the purpose of subsection (2) for the 1988 taxation year is \$225. Amount prescribed for 1988

(2b) For the purposes of this section, “tax otherwise payable” for a taxation year means the amount of tax payable under this Act for the taxation year after the deduction, if any, permitted by subsection 3 (8) and before any deduction permitted under section 7 or this section. Definition

5.—(1) Clause 7 (1) (b) of the said Act is repealed and the following substituted therefor:

(b) “income” of a person for a taxation year means the amount equal to the sum of the person’s taxable income for the taxation year and all amounts deducted by the person under Division C of Part I of the Federal Act in determining such taxable income, less any amounts added under Division C of Part I of the Federal Act in determining such taxable income;

(ba) “individual” means a person, other than,

(i) a corporation,

(ii) a trust or estate referred to in subdivision k of Division B of Part I of the Federal Act, or

(iii) except for the purposes of subsection (6), a person who died in the taxation year or a person who is, on the 31st day of December in the taxation year,

(A) under the age of sixteen years,

(B) except for the purposes of subsection (2a), under the age of nineteen years and residing in the principal residence of another person who is making a deduction from tax, or whose spouse is making a deduction from tax, under paragraph 118 (1) (b) or (d) of the Federal Act for the taxation year in respect of the person,

(C) a person referred to in paragraph 149 (1) (a) or (b) of the Federal Act,

(D) a person, or a member of the family of a person, who is on active military service as a member of the armed forces of a country other than Canada and is not a Canadian citizen, or

(E) a person who, by virtue of an agreement, convention or tax treaty entered into by Canada and another country, is not required to pay tax under the Federal Act with respect to the taxation year.

(2) Clause 7 (1) (d) of the said Act is amended by,

(a) striking out “principal taxpayer” in the second line of subclause (i), in the third and fourth lines of sub-subclause (ii) A and in the second and third lines and in the fourth line of sub-subclause (ii) B and inserting in lieu thereof in each instance “individual”; and

(b) striking out “his spouse” in the third line of subclause (i), in the fourth line of sub-subclause (ii) A and in the fourth and fifth lines of sub-subclause (ii) B and inserting in lieu thereof in each instance “the individual’s spouse”.

(3) Clause 7 (1) (e) of the said Act is repealed and the following substituted therefor:

(e) "Ontario home ownership savings plan" means an Ontario home ownership savings plan under the *Ontario Home Ownership Savings Plan Act, 1988*; 1988, c. 35

(ea) "principal residence", in respect of an individual, means a housing unit in Ontario that was occupied by the individual during the taxation year as his or her primary place of residence and that is designated by the individual in the prescribed manner as the individual's principal residence for the taxation year.

(4) Clause 7 (1) (f) of the said Act, as amended by the Statutes of Ontario, 1981, chapter 13, section 3 and 1987, chapter 27, section 4, is repealed and the following substituted therefor:

(f) "qualifying contribution" made by an individual to an Ontario home ownership savings plan means a contribution that is a qualifying contribution under the *Ontario Home Ownership Savings Plan Act, 1988* and in respect of which a receipt in the prescribed form has been issued by the depository of the plan and has been filed by the individual with the Minister. 1988, c. 35

(5) Clause 7 (1) (k) of the said Act, as enacted by the Statutes of Ontario, 1984, chapter 50, section 3, is repealed and the following substituted therefor:

(k) "supporting person", in respect of an individual for a taxation year, means any person whose income is required by subparagraph 122.4 (3) (d) (iii) or (iv) of the Federal Act to be included in the amount determined under paragraph 122.4 (3) (d) of that Act for the purposes of determining the amount, if any, that is deemed by subsection 122.4 (3) of that Act to have been paid by the individual at the end of the taxation year on account of tax under Part I of that Act for the taxation year;

(l) "tax payable" and "tax otherwise payable" mean the amount of tax that would be payable under this Act if the tax were calculated without reference to sections 120.1, 121 and 122.3 of the Federal Act and this section.

(6) Section 7 of the said Act is amended by adding thereto the following subsection:

Adjusted
income and
qualifying
adjusted
income

(1a) For the purposes of this section,

(a) the adjusted income of an individual for a taxation year is the aggregate of the income for the taxation year of,

(i) the individual,

(ii) the individual's spouse, if the individual was married at the end of the taxation year and resided with the spouse at the end of the taxation year, and

(iii) all supporting persons; and

(b) the qualifying adjusted income of an individual for a taxation year is,

(i) one-half of the individual's adjusted income for the taxation year where,

(A) the individual was married at the end of the taxation year and resided with his or her spouse on the 31st day of December in the taxation year,

(B) the income of a supporting person is required to be included in the individual's adjusted income for the taxation year under subclause (a) (iii), or

(C) the individual deducted and is entitled to deduct an amount under paragraph 118 (1) (b) of the Federal Act in computing tax payable under Part I of that Act for the taxation year, and

(ii) in any other case, the adjusted income of the individual for the taxation year.

(7) Subsection 7 (2) of the said Act, as re-enacted by the Statutes of Ontario, 1981, chapter 13, section 3 and amended by the Statutes of Ontario, 1987, chapter 27, section 4, is repealed and the following substituted therefor:

Property tax
credit, sales
tax credit

(2) Subject to subsection (3), every individual resident in Ontario on the 31st day of December in a taxation year may

deduct from tax otherwise payable by the individual under this Act in respect of the taxation year the amount, if any, not in excess of \$1,000, by which the aggregate of the tax credits described in clauses (a) and (b) to which the individual is entitled exceeds the amount, if any, by which 2 per cent of the individual's adjusted income for the taxation year exceeds \$4,000, that is to say,

(a) subject to subsection (2b), a property tax credit equal to the sum of,

(i) the lesser of the individual's occupancy cost for the taxation year and \$250, and

(ii) an amount equal to 10 per cent of the individual's occupancy cost for the taxation year; and

(b) subject to subsection (2c), a sales tax credit equal to the aggregate of,

(i) \$100 in respect of the individual,

(ii) \$100 in respect of the individual's spouse or a supporting person, if,

(A) the spouse or the supporting person, whichever is applicable, and the individual resided together on the 31st day of December in the taxation year, and

(B) the spouse or the supporting person, whichever is applicable, was not at any time in the taxation year an eligible person under the *Ontario Pensioners Property Tax Assistance Act*, and

R.S.O. 1980,
c. 352

(iii) \$50 in respect of every other person under the age of eighteen years at any time in the taxation year with respect to whom the individual, or the person referred to in subclause (ii), if applicable, has deducted and is entitled to deduct an amount under paragraph 118 (1) (b) or (d) of the Federal Act in the computation of tax payable under Part I of that Act for the taxation year.

(2a) Subject to subsection (3), every individual resident in Ontario on the 31st day of December in a taxation year, whose qualifying adjusted income for the taxation year does not exceed \$40,000, may deduct from tax otherwise payable

Ontario
home
ownership
savings plan
tax credit

under this Act in respect of the taxation year the amount, if any, equal to the product of,

- (a) the aggregate of,
 - (i) the lesser of \$2,000 and the total of all qualifying contributions made by the individual in the taxation year to an Ontario home ownership savings plan of which the individual is the planholder, and
 - (ii) where the individual is married at the end of the taxation year and resided on the 31st day of December in the taxation year with his or her spouse, the lesser of \$2,000 and the total of all qualifying contributions made by the spouse in the taxation year to an Ontario home ownership savings plan of which the spouse is the planholder; and
- (b) where the individual's qualifying adjusted income for the taxation year,
 - (i) does not exceed \$20,000, 25 per cent, or
 - (ii) exceeds \$20,000 but does not exceed \$40,000, the prescribed percentage.

Idem

(2b) In determining the amount of a property tax credit under clause (2) (a) for a taxation year, no amount may be claimed by an individual if the individual, or a spouse of the individual with whom the individual resided at the end of the taxation year or a supporting person with whom the individual resided at the end of the taxation year, was an eligible person under the *Ontario Pensioners Property Tax Assistance Act* at the end of the taxation year.

R.S.O. 1980,
c. 382

Idem

(2c) In determining the amount of a sales tax credit under clause (2) (b) for a taxation year,

- (a) no amount may be claimed under clause (2) (b) by an individual who was at any time in the taxation year an eligible person under the *Ontario Pensioners Property Tax Assistance Act*; and
- (b) no amount in respect of a person shall be included if another individual has included an amount in respect of that person in determining the sales tax credit of that other individual for the taxation year.

(8) Subsection 7 (3) of the said Act is repealed and the following substituted therefor:

(3) Where, on the 31st day of December in a taxation year, Who claims tax credits

- (a) an individual is married and resides with his or her spouse, any deduction from tax of an amount by either or both of them under subsection (2) or (2a), or under both subsections, for the taxation year that would have been permitted but for this subsection shall be made by only one of them and shall include all amounts that would otherwise have been deductible from tax under subsections (2) and (2a) by either of them; or
- (b) an individual inhabits a principal residence with a supporting person, and not with a spouse, any deduction from tax of an amount by the individual or by the supporting person, or by both of them, under subsection (2) for the taxation year that would have been permitted but for this subsection shall be made by only one of them and shall include all amounts that would otherwise have been deductible from tax under subsection (2) by either of them.

(9) Subsection 7 (4) of the said Act is repealed and the following substituted therefor:

(4) Where, during a taxation year, the principal residence of an individual, or of the individual's spouse with whom the individual resided on the 31st day of December in the taxation year, is in a prescribed students' residence, the total occupancy cost for the individual, for the individual's spouse or for both of them if they each had such a principal residence, is \$25. Deemed occupancy cost for students

(10) Subsection 7 (7) of the said Act is amended by striking out "subsection (2)" in the second line and inserting in lieu thereof "this section".

(11) Subsection 7 (8) of the said Act is repealed and the following substituted therefor:

(8) An individual who has inhabited more than one principal residence in a taxation year shall, in calculating his or her occupancy cost, take into account only that portion of his or her total occupancy cost in the taxation year for each principal residence that is in the same ratio to his or her total occupancy cost in the taxation year for that principal residence as Occupancy cost for two or more principal residences

the number of days in the taxation year that the individual inhabited that principal residence is to the number of days for which such occupancy cost was paid for that principal residence, but no individual shall claim an occupancy cost for more than one principal residence during the same period of time.

(12) Subsection 7 (9) of the said Act is repealed and the following substituted therefor:

Joint
occupation

R.S.O. 1980,
c. 382

(9) Where an individual inhabits a principal residence in a taxation year with another person who is entitled under this section to deduct an amount under subsection (2) in respect thereof, or who is entitled to a grant under section 2 of the *Ontario Pensioners Property Tax Assistance Act* in respect thereof, the occupancy cost of the principal residence shall be allocated to each of them according to the beneficial ownership of each of them in the principal residence or according to the portion of the rent for the principal residence that was paid in respect of the occupation thereof by each of them in the taxation year, as the case may be.

Idem

(9a) For the purposes of subsection (9), an individual who, by reason of subsection (3), deducts an amount referred to in clause (2) (a) in respect of another person shall be deemed,

- (a) to have beneficial ownership in the principal residence equal to the total beneficial ownership held by both of them; and
- (b) to have paid rent for the principal residence in respect of the occupation thereof in the taxation year equal to the total rent paid by both of them in respect of the occupation of the principal residence in the taxation year.

(13) Subsection 7 (10) of the said Act is repealed and the following substituted therefor:

Imputed rent

(10) Where an individual, or a person in respect of whom the individual deducts an amount referred to in clause (2) (a) for the taxation year by reason of subsection (3), instead of paying full rent for the occupation of a principal residence that is not owned by either of them, furnishes work or services to the owner or lessee of the principal residence, the value of the benefit received from paying less than full rent may, for the purposes of determining occupancy cost, be included in the rent paid in respect of the principal residence to the extent that the value of the benefit is included in the income for the taxation year of the person who furnished the work or ser-

vices, for the purpose of determining tax payable under Part I of the Federal Act for the taxation year.

(14) Subsection 7 (11) of the said Act, as amended by the Statutes of Ontario, 1981, chapter 13, section 3, is repealed.

(15) Subsection 7 (11a) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 13, section 3, is repealed and the following substituted therefor:

(11a) Despite clause (1) (d) and subsection (2b), where, in a taxation year, an individual separates from his or her spouse who, on the 31st day of December in the taxation year, is an eligible person, as defined in the *Ontario Pensioners Property Tax Assistance Act*, pursuant to a separation agreement as that term is defined in that Act, the individual shall be deemed to have an occupancy cost for the taxation year equal to that portion of his or her occupancy cost otherwise determined that is attributable only to the portion of the taxation year subsequent to the separation.

Separation in
year

R.S.O. 1980,
c. 352

(16) Subsection 7 (11b) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 13, section 3, is repealed and the following substituted therefor:

(11b) Despite subsection (2b), where, in a taxation year, an individual marries a person who, on the 31st day of December in the taxation year, is an eligible person, as defined in the *Ontario Pensioners Property Tax Assistance Act*, the individual shall be deemed for the purposes of subsection (2) to have an occupancy cost for the taxation year equal to that portion of his or her occupancy cost otherwise determined that is attributable only to the portion of the taxation year prior to the marriage and which has not been included in the occupancy cost of the spouse or a previous spouse for the purposes of a claim for a grant under section 2 of the *Ontario Pensioners Property Tax Assistance Act*.

Marriage in
year

R.S.O. 1980,
c. 352

(17) Subsection 7 (12) of the said Act is amended by striking out "subsections (2) and (6)" in the sixth line of clause (a) and in the first line of clause (b) and inserting in lieu thereof in each instance "this section".

(18) Subsection 7 (13) of the said Act, as amended by the Statutes of Ontario, 1986, chapter 40, section 3, is repealed and the following substituted therefor:

(13) Where an individual makes a claim to the Minister not more than three years after the end of the taxation year to which the claim relates that the individual is entitled to a

Limitation
period

deduction or an additional deduction under this section for a taxation year in excess of the amount of any deduction under this section previously allowed to the individual for the taxation year, the Minister may allow the deduction or additional deduction claimed by the individual if the Minister is satisfied that the individual is entitled to the deduction or additional deduction under this section for the taxation year, and the Treasurer shall apply the amount of any deduction or additional deduction allowed by the Minister in the manner described in subsection (7).

6. Section 9 of the said Act is amended by adding thereto the following subsection:

Tax tables

(2) Where an individual pays tax for a taxation year under the Federal Act computed in accordance with subsection 117 (6) of that Act, the individual may pay as tax under this Act for the taxation year, in lieu of the tax otherwise determined under this Act, the amount determined by reference to a table prepared in accordance with prescribed rules.

7. Section 16 of the said Act, as amended by the Statutes of Ontario, 1984, chapter 50, section 6, 1985, chapter 12, section 8 and 1986, chapter 40, section 6, is further amended by adding thereto the following subsections:

Compound interest

(8) Interest computed under any of subsections 16 (1), (2) and (9), 19 (3), (3a) and (4) and 36 (6) and (7) shall be compounded daily, and, where interest is computed on an amount under any of those subsections and is unpaid on the day it would, but for this subsection, have ceased to be computed under that subsection, interest at the rate provided by that subsection shall be computed and compounded daily on the unpaid interest from that day to the day it is paid.

Interest on unpaid penalties

(9) Where a taxpayer is required under this Act to pay a penalty and fails to pay all or part thereof as required, the taxpayer shall pay to the Treasurer interest at the rate prescribed for the purposes of subsection 161 (11) of the Federal Act on the amount the taxpayer failed to pay computed,

- (a) in the case of a penalty payable under subsection 17 (1), (2) or (3) or 18 (1) or (3), from the day on or before which the taxpayer's return of income for the taxation year in respect of which the penalty is payable was, or would have been if tax under this Act were payable by the taxpayer for the year, required to be filed to the day of payment; and

- (b) in the case of a penalty payable under any other provision of this Act, from the day of mailing of the notice of original assessment of the penalty to the day of payment.

8.—(1) Clause 21 (2) (d) of the said Act, as enacted by the Statutes of Ontario, 1981, chapter 13, section 4, is repealed and the following substituted therefor:

- (d) any deduction under section 7.

(2) Subsection 21 (2) of the said Act, as amended by the Statutes of Ontario, 1981, chapter 13, section 4, is further amended by adding “or” at the end of clause (e) and by adding thereto the following clause:

- (f) the liability of a director to pay an amount under section 36a,

9. Section 28 of the said Act is amended by adding thereto the following subsections:

(2) Where a remission referred to in subsection (1) has been granted to an individual under the *Financial Administration Act* (Canada) in respect of a taxation year, the Provincial Minister may, by order, authorize the acceptance by the Minister of a claim from the individual for a deduction or an additional deduction under section 7 in respect of the taxation year when the claim is made more than three years after the end of the taxation year to which the claim relates, if the Provincial Minister considers the allowance of the deduction, or the additional deduction, to be in the public interest or for the relief of undue hardship.

Idem
R.S.C. 1970,
c. F-10

(3) Where no remission referred to in subsection (1) has been granted to an individual under the *Financial Administration Act* (Canada) in respect of a taxation year, the Lieutenant Governor in Council, on the recommendation of the Provincial Minister, may, if he or she considers it in the public interest or for the relief of undue hardship, authorize the acceptance by the Minister of a claim from the individual for a deduction or an additional deduction under section 7 in respect of the taxation year, notwithstanding that the claim is made more than three years after the end of the taxation year to which the claim relates.

Idem
R.S.C. 1970,
c. F-10

COMPLEMENTARY AMENDMENT

10. Section 3 of the *Ontario Home Ownership Savings Plan Act, 1988*, being chapter 35, is amended by adding thereto the following subsection:

Subsequent
marriage

(4) Where a planholder of an Ontario home ownership savings plan marries during a calendar year after having made a contribution to the plan during the calendar year, the spouse of the planholder shall be deemed, for the purposes of determining whether the contribution made prior to the marriage is a qualifying contribution, not to have owned an interest in an eligible home if,

- (a) the spouse owned no interest in the eligible home at the time of the marriage; or
- (b) the marriage occurred after the date on which the planholder acquired an interest in a qualifying eligible home in respect of which the assets of the planholder's plan were released under section 5.

Commence-
ment and
application

11.—(1) This Act, except sections 2 to 7, 9 and 10, comes into force on the day it receives Royal Assent.

(2) Subsection 3 (5) of this Act shall be deemed to have come into force on the 1st day of January, 1984, and applies with respect to taxation years ending after the 31st day of December, 1983.

(3) Subsections 3 (2) and (4) of this Act shall be deemed to have come into force on the 1st day of January, 1985, and apply with respect to taxation years ending after the 31st day of December, 1984, except that in the application of clause 3 (8) (a) of the said Act, as re-enacted by subsection 3 (4) of this Act, the reference to subsection 180.1 (1.1) of the Federal Act shall be deemed to have come into force on the 1st day of January, 1987, and apply with respect to taxation years ending after the 31st day of December, 1986.

(4) Subsections 3 (3), (6) and (8) and section 6 of this Act shall be deemed to have come into force on the 1st day of January, 1985, and apply with respect to taxation years ending after the 31st day of December, 1984.

(5) Subsections 3 (7) and (9) of this Act shall be deemed to have come into force on the 1st day of January, 1986, and apply with respect to taxation years ending after the 31st day of December, 1985.

(6) Section 7 of this Act shall be deemed to have come into force on the 1st day of January, 1987, and applies to interest accrued as of the 31st day of December, 1986 and to the period after the 31st day of December, 1986 with respect to penalties that are imposed after the 31st day of December, 1986 or that are imposed before the 1st day of January, 1987 and remain unpaid after the 31st day of December, 1986.

(7) Section 2 and subsection 3 (1) of this Act shall be deemed to have come into force on the 1st day of January, 1988.

(8) Sections 4 and 5 of this Act shall be deemed to have come into force on the 1st day of January, 1988, and apply to taxation years ending after the 31st day of December, 1987.

(9) Section 10 of this Act shall be deemed to have come into force on the 8th day of June, 1988.

(10) Section 9 of this Act comes into force on the day this Act receives Royal Assent, and applies with respect to claims made in respect of taxation years ending before or after the day this Act receives Royal Assent.

12. The short title of this Act is the *Income Tax Amendment Act, 1988*. Short title

CHAPTER 74

An Act to amend the Psychologists Registration Act

Assented to December 15th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of the *Psychologists Registration Act*, being chapter 404 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

2.—(1) The board known as the Ontario Board of Examiners in Psychology is continued. Board continued

(2) The Board shall be composed of, Composition

(a) seven registered psychologists appointed by the Lieutenant Governor in Council, of whom not fewer than two and not more than three shall hold a full-time appointment in a Department of Psychology in a university acceptable to the Board; and

(b) three persons appointed by the Lieutenant Governor in Council who are neither registered under this Act nor registered or licensed under any other Act governing a health practice.

(3) The members of the Board shall be appointed for a term not exceeding three years and may be reappointed for further terms. Term

(4) The members of the Board appointed under clause (2) (b) shall be paid expenses and remuneration as determined by the Lieutenant Governor in Council out of moneys appropriated therefor by the Legislature. Remuneration

2. Section 4 of the said Act is repealed and the following substituted therefor:

4. Three members of the Board, one of whom is a person appointed under clause 2 (2) (b), constitute a quorum. Quorum

3. Clause 5 (a) of the said Act is repealed and the following substituted therefor:

- (a) prescribing the remuneration of the members of the Board appointed under clause 2 (2) (a) and providing for the payment of necessary expenses of the Board in the conduct of its business.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Psychologists Registration Amendment Act, 1988*.

PART II
PRIVATE ACTS

Chapters Pr1 to Pr58

CHAPTER Pr1

An Act respecting the City of Toronto

Assented to January 7th, 1988

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 (2) of *The City of Toronto Act, 1952*, being chapter 139, as re-enacted by the Statutes of Ontario, 1983, chapter Pr30, section 5, is repealed and the following substituted therefor:

(2) The parking authority shall be a public commission and a body corporate and shall consist of five members, each of whom shall be a person qualified to be elected as a member of council and shall be appointed by the council for a term not exceeding the term of the council appointing them and until their successors are appointed.

Incorporation
and number
of members

2. Subsection 5 (2) of *The City of Toronto Act, 1958*, being chapter 160, as amended by the Statutes of Ontario, 1978, chapter 148, section 6, is repealed and the following substituted therefor:

(2) The historical board shall be a local board and a body corporate and shall consist of two members of council and fifteen other members.

Incorporation
and members

3. *The City of Toronto Act, 1961-62*, being chapter 171, is amended by adding thereto the following section:

1a.—(1) In this section,

Definitions

“row housing” means contiguous residential units separated by party walls and contained in a building other than a single family, double or duplex building;

“special roll” means a roll containing the name of the owner or owners of the building, a description of the land on which the building is erected or enlarged and the amount of the charge imposed on the building.

Apportionment
of special
charge

(2) Where a charge has been imposed under subsection 1 (1) on a building consisting of row housing, the court of revision may, upon the application of the Corporation or by or on behalf of an owner of a unit in the building whose name appears on a special roll, apportion the charge among the residential units in the building in the ratio that their gross floor area bears to the total gross floor area of the building.

Amounts
apportioned
to equal
total charge

(3) In apportioning a charge under subsection (2), the court of revision shall ensure that the total of the amounts apportioned equals the charge imposed.

Charge is
lien on land

(4) Each owner of a residential unit in a building consisting of row housing is liable for the charge apportioned under subsection (2) and the charge is a lien upon the land of such owner.

Appeal to
O.M.B.

R.S.O. 1980,
c. 250

(5) An appeal lies to the Ontario Municipal Board from a decision of the court of revision apportioning a charge and section 52 of the *Local Improvement Act* applies with necessary modifications.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of Toronto Act, 1988*.

CHAPTER Pr2

An Act to revive the Centre for Educative Growth

Assented to January 7th, 1988

Whereas John Legg and J. Fred Gillespie hereby represent that the Centre for Educative Growth, hereinafter called the Corporation, was incorporated by letters patent dated the 12th day of November, 1973; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the certificate of incorporation of the Corporation for failure to comply with the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants were directors in good standing of the Corporation at the time of its dissolution; that notice of default in filing annual returns, although sent to each of the applicants as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Centre for Educative Growth is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution, in the same manner as if it had not been dissolved.

Corporation
revived

Commencement

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Centre for Educative Growth Act, 1988*.

CHAPTER Pr3

An Act respecting Special Ability Riding Institute

Assented to January 7th, 1988

Whereas Special Ability Riding Institute, herein called the Institute, hereby represents that it was incorporated by letters patent dated the 26th day of June, 1978; that the Institute is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that the objects of the Institute are to promote the well-being of handicapped persons by means of horseback riding; that on the 28th day of January, 1980, the Institute acquired a freehold interest in the lands and premises described in the Schedule on which it operates its programs in accordance with its objects; and whereas the Institute hereby applies for special legislation to exempt the lands and premises described in the Schedule from taxation for municipal and school purposes, other than local improvement rates; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the Township of London may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Institute, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Institute.

Tax
exemption

R.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1987.

Retroactive
by-law

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. The short title of this Act is the *Special Ability Riding Institute Act, 1988*.

Short title

SCHEDULE

Those lands and premises situate in the Township of London, in the County of Middlesex and being composed of Part of Lot 30, in Concession 6 of the said Township, more particularly designated as Part 1 on Plan 33R-3948 filed in the Land Registry Office for the Registry Division of Middlesex East (No. 33).

CHAPTER Pr4

An Act respecting York Fire & Casualty Insurance Company

Assented to January 7th, 1988

Whereas York Fire & Casualty Insurance Company, herein called the Company, hereby represents that York Fire & Casualty Company was incorporated under the laws of the Province of Ontario by letters patent dated the 30th day of September, 1955; that the said letters patent were amended by supplementary letters patent dated the 30th day of November, 1955; that the Company received letters patent approving its amalgamation with Transportation Fire & Casualty Company on the 30th day of December, 1977 under the name of York Fire & Casualty Insurance Company; that the letters patent of amalgamation were amended by supplementary letters patent dated the 29th day of November, 1983, the 25th day of October, 1985 and the 19th day of February, 1986; that the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subject to authorization by special resolution under the *Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada or the Minister of Finance, as applicable for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing *inter alia* that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation.

Application
to Minister
of Consumer
and
Corporate
Affairs
authorized
R.S.O. 1980,
c. 95

2. Upon the issue of the letters patent referred to in section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of the letters patent together with a copy of the letters patent certified by

Items to be
filed

R.S.O. 1980,
c. 95

the Department of Consumer and Corporate Affairs and, on and after the date of the filing of such notice, the *Corporations Act* shall cease to apply to the Company.

Minister's
certificate

3. The Minister of Consumer and Commercial Relations may, on receipt of the notice and certified copy of the letters patent referred to in section 2, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *York Fire & Casualty Insurance Company Act, 1988*.

CHAPTER Pr5

An Act respecting the Association of Registered Wood Energy Technicians of Ontario

Assented to January 7th, 1988

Whereas the members of the Ontario Branch of the Canadian Wood Energy Institute are desirous of being incorporated for the purpose of carrying out the objects of the proposed corporation and of the government and discipline of its members; and whereas it is considered desirable to re-name the Ontario Branch of the Canadian Wood Energy Institute as the Association of Registered Wood Energy Technicians of Ontario; and whereas it is considered desirable to grant the members of the proposed Association the right to use the designation "Registered Wood Energy Technician"; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"Association" means the Association of Registered Wood Energy Technicians of Ontario;

"Board" means the board of governors of the Association;

"registered" means registered as a member under this Act, and "registration" has a corresponding meaning;

"Registrar" means the Registrar of the Association;

"student" means a student member of the Association.

2.—(1) The "Association of Registered Wood Energy Technicians of Ontario" is constituted a corporation without share capital and the persons registered as members of the Ontario Branch of the Canadian Wood Energy Institute on the day this Act comes into force and such other persons as

Incorporation

hereafter become members of the Association constitute the corporation.

Head office

(2) The head office of the Association shall be in The Municipality of Metropolitan Toronto or at such other place in the Province of Ontario that may be so designated by the Board.

Objects

3. The objects of the Association are,

- (a) to furnish means and facilities by which members and students of the Association may increase their knowledge, skill and efficiency in all things related to the business or profession of a wood energy technician;
- (b) to hold examinations and set tests of competency appropriate to qualify for admission to membership in the Association;
- (c) to establish and maintain standards of knowledge and skill among its members;
- (d) to maintain discipline among members and students of the Association;
- (e) to establish and maintain standards of professional ethics among members and students of the Association;
- (f) to supervise the practice of members of the Association and students in order that the public interest may be served and protected;
- (g) to promote safe and competent practices in the installation, maintenance and operation of wood heating systems;
- (h) to promote interest in the study of wood as an energy source;
- (i) to carry on printing and publishing and to sell and distribute educational, promotional and safety literature;
- (j) to seek and maintain membership in the Canadian Wood Energy Institute and to co-operate with other organizations having objects, wholly or in part, the same as or similar to the objects of the Association;

- (k) to accept donations, gifts, legacies and bequests for use in promoting the objects and carrying on the work of the Association; and
- (l) to carry on benevolent work in connection with the families of deceased, retired or incapacitated members who are in need.

4.—(1) The affairs of the Association shall be managed by the board of governors.

Board of governors

(2) The first Board shall consist of the persons named in the Schedule and they shall hold office until their successors are elected in accordance with this Act and the by-laws of the Association.

First Board

(3) The Board shall consist of not fewer than five and not more than fifteen persons elected by and from the membership of the Association as defined by the by-laws of the Board.

Composition of Board

(4) The Association may by by-law provide for the appointment to the Board of up to three persons who are not members of the Association.

Idem

(5) The immediate past president of the Association shall be an *ex officio* member of the Board if and while that past president is a member of the Association.

Ex officio member

(6) Every person who is a past president of the Association or of the Canadian Wood Energy Institute is an honorary member of the Board but as such has only the rights and privileges set out in the by-laws of the Association.

Honorary members

(7) The manner of electing the members of the Board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes, the tenure of office of members of the Board and other necessary details shall be as set out in the by-laws.

Matters covered by by-law

(8) At any meeting of the Board, three-fifths of the voting members of the Board constitute a quorum.

Quorum

(9) The Board shall elect from its members a president, a vice-president and a treasurer and shall appoint a secretary who need not be a member of the Board.

Officers

Vacancies

(10) In the case of the death, resignation or incapacity of any member of the Board, other than a past president serving under subsection (5) or (6), the office shall be declared vacant by the Board and the Board shall fill the vacancy in the manner provided by the by-laws for the balance of the term.

Idem

(11) For the purpose of subsection (10), absence from three consecutive meetings of the Board may be treated by the Board as incapacity.

Registrar

(12) The Board shall appoint a Registrar, who need not be a member of the Board, and the Registrar shall perform the functions assigned by this Act and such other duties as may be assigned by the Board.

Proxies

5. At any general or special meeting of the Board, members may be represented by proxy but,

- (a) no proxy shall be exercised by a person who is not a member; and
- (b) the proxy shall be exercised in accordance with the by-law on voting and proxies.

Powers of Board

6.—(1) The Board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Association and, without restricting the generality of the foregoing, in addition to the matters specifically provided in this Act, the Board may pass by-laws,

- (a) to prescribe the qualifications for membership in and registration by the Association;
- (b) to prescribe a curriculum and courses of study to be pursued by students and the subjects upon which students and candidates for admission as members of the Association shall be examined and for granting certificates to students and candidates who have successfully passed the examinations;
- (c) to provide for the continuing education and professional development of its members;
- (d) to prescribe the experience criteria to be met by candidates for registration;
- (e) to establish and prescribe such categories of membership as are necessary for the purposes of the Association and in the public interest;

- (f) to regulate and govern the conduct of members of the Association in the practice of their business or profession, by prescribing a code of ethics, rules of professional conduct and standards of practice;
- (g) to provide for the receipt and consideration of complaints made to the Association concerning the conduct of its members and the practice of their business or profession, including the establishment of a complaints committee and procedures therefor;
- (h) to prescribe fees payable to the Association;
- (i) to fix and regulate the time, place, calling and conduct of annual, general and special meetings of the Association and meetings of the Board;
- (j) to establish and provide for the administration of a benevolent fund for the benefit of any member of the Association or the families of deceased members of the Association who may require financial assistance and, for that purpose, providing for the receipt of contributions or donations;
- (k) to authorize the making of grants for any purpose that may tend to advance wood energy technology, knowledge and education, improve standards of practice in wood energy technology, or support and encourage public information and interest in the safe installation and use of wood energy technology;
- (l) to govern the acquisition, management, disposal and conduct of the property and affairs of the Association;
- (m) to provide for the appointment, removal, functions, duties and remuneration of agents, officers and employees of the Association;
- (n) to establish such committees as the Board may consider necessary to carry out the business of the Association;
- (o) to establish and maintain a professional liability claims fund for the purpose of paying therefrom, subject to the by-laws and any rules made thereunder, professional liability claims against members;
- (p) to provide for and establish requirements for categories of membership or types of projects for which

members must secure professional liability insurance, including minimum limits of insured professional liability;

- (q) to enter into any group contract of insurance with an insurer for the payment by the insurer of professional liability claims, in whole or in part, and with or without the expense of adjusting, settling and paying the claim, including legal fees and disbursements, where that claim or expense, if not paid under contract of insurance, would be payable out of the claims fund; and
- (r) to provide for the appointment of an auditor for the Association.

Mandatory
by-laws

(2) The Board shall pass by-laws,

- (a) to provide for and govern the discipline, supervision, expulsion or other penalty for professional misconduct, incapacity or other incompetence;
- (b) to establish a discipline committee and its procedures;
- (c) to establish an appeals committee of the Board and its procedures; and
- (d) to establish a committee and its procedures for reviewing applications for admission.

Proposals by
members

(3) A member entitled to vote at an annual, general or special meeting of the Association may make a proposal to make, amend or repeal a by-law.

Notice of
proposal

(4) A notice of the member's proposal shall be delivered to the office of the Association at least thirty days before the annual meeting at which it will be considered.

Idem

(5) Upon receiving a proposal from a member to enact, amend or repeal a by-law, the Board shall cause the proposal to be published in the agenda for the next annual meeting of the Association, which agenda shall be distributed to the membership in accordance with the by-laws, but when there is not sufficient time before the next annual meeting of the Association to distribute the proposal in accordance with the by-laws, the proposal shall be contained in the agenda for the next following annual, general or special meeting and shall be distributed to the membership in accordance with the by-laws of the Association.

(6) Twenty per cent of the members entitled to vote at an annual, general or special meeting of the Association may request that the Board call and hold a special meeting to make, amend or repeal a by-law and consider any other business.

Special
meeting

(7) A request under subsection (6) shall be in writing and shall set out the reasons for the requested special meeting.

Request in
writing

(8) Upon receipt of a request under subsection (6), the Board shall call and convene the meeting in accordance with the by-laws.

Special
meeting
convened

(9) No by-law or change to an existing by-law is effective until it is ratified by the voting members of the Association at an annual, general or special meeting.

By-laws to
be ratified

(10) The by-laws shall be open to examination by the public at the head office of the Association during normal office hours.

By-laws open
to public

7.—(1) The Association shall grant a membership in the Association to every person who applies therefor in accordance with the by-laws if the person,

Membership

- (a) is not less than eighteen years of age;
- (b) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership;
- (c) has passed such examinations as the Board may set or approve in accordance with the by-laws; and
- (d) in the opinion of the Board, is likely to carry on the practice of wood energy technology in accordance with law and with integrity and honesty.

(2) The by-laws shall provide that an application for membership may be refused or a disciplinary sanction may be imposed only after a hearing.

Hearing

(3) The Registrar shall keep a register in which shall be entered the names of all members of the Association in good standing and only those persons so registered are members entitled to the privileges of membership in the Association.

Registrar

(4) The register shall be open to examination by the public at the head office of the Association during normal office hours.

Register
open to
public

Appeals

(5) A person who has been refused membership or who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court in accordance with the rules of court from the refusal to grant membership or from the sanction.

Record

(6) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of the fee therefor, the Registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from.

Power of court

(7) An appeal under this section may be made on questions of law or fact or both and the court may affirm or may rescind the decision of the committee appealed from and may exercise all powers of the committee and may direct the committee to take any action which the committee may take and as the court considers proper and, for such purposes, the court may substitute its opinion for that of the committee or the court may refer the matter back to the committee for rehearing, in whole or in part, in accordance with such directions as the court considers proper.

Designation

8.—(1) Every member of the Association may use the designation "Registered Wood Energy Technician" and may use after the member's name the initials "A.R.W.E.T.O." indicating that the member is a Registered Wood Energy Technician in Ontario.

Offence

(2) Any person in Ontario who, not being a registered member of the Association, takes or uses the designation "Registered Wood Energy Technician" or "A.R.W.E.T.O." along or in combination with any other word, name, title, initial or description, or implies, suggests or holds out that that person is a Registered Wood Energy Technician is guilty of an offence.

Unregistered

(3) No person who is not a Registered Wood Energy Technician may bring an action in Ontario in any court or collect fees, compensation or other remuneration for services performed as a Registered Wood Energy Technician.

Evidence

(4) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the Registrar, is sufficient evidence of all persons who are registered in lieu of the production of the original register and any certificate upon such copy of the register purporting to be signed by a person in that person's capacity as Registrar is proof, in the absence of evidence to the contrary, that such a

person is the Registrar without any proof of that person's signature or that the person is the Registrar.

(5) The absence of the name of any person from a copy of the register produced under subsection (4) is proof, in the absence of evidence to the contrary, that the person is not registered. Idem

9.—(1) The Board shall cause the removal of the name of a member from the register, Removal
from register

- (a) at the request or with the written consent of the member whose name is to be removed;
- (b) where the name has been incorrectly entered;
- (c) where notification is received of a member's death;
or
- (d) where the registration of a member has been suspended or revoked through disciplinary proceedings.

(2) Subject to subsection (3), the Board, on such grounds as it considers sufficient, may cause the name of a person removed from the register to be restored thereto either without fee or upon payment to the Association of, Restoration
to register

- (a) a sum not exceeding the fees or other sums in arrears and owing by the person to the Association; and
- (b) such additional sum as may be prescribed by the by-laws.

(3) Where the name of a person who has been suspended or whose registration has been suspended or revoked under clause (1) (d) is to be restored to the register under subsection (2), the Board may by resolution direct that the name be restored subject to such terms and conditions as the Board may impose. Idem

10. The Board shall cause a certificate of membership to be issued each year to every person whose name is entered in the register and the certificate shall state the date upon which it expires, the type of membership and every condition and limitation imposed on the person to whom the certificate is issued. Certificate of
membership

Right to
practise
unaffected

11. This Act does not affect or interfere with the right of any person who is not a member of the Association to practise as a wood energy technician in the Province of Ontario.

Surplus

12. All surplus derived from carrying on the affairs and business of the Association shall be devoted and applied solely in promoting and carrying out its objects and purposes and no surplus shall be divided among its members.

Liability

13. No action or other proceeding for damages shall be instituted against,

- (a) the Association, the Board or a committee of the Association;
- (b) a member of the Association, the Board or a committee of the Association; or
- (c) an officer, employee, agent or appointee of the Association,

for any act done in good faith in the performance or intended performance of a duty or in the exercise or the intended exercise of a power under this Act or a by-law, or for any neglect or default in the performance or exercise in good faith of such duty or power.

Commence-
ment

14. This Act comes into force on the day it receives Royal Assent.

Short title

15. The short title of this Act is the *Association of Registered Wood Energy Technicians of Ontario Act, 1988*.

SCHEDULE

Edward Catton

Robert Galt

Pamela Howard

Robert Leman

Arthur Olson

CHAPTER Pr6

**An Act to revive
Sudbury Cardio-Thoracic Foundation**

Assented to January 7th, 1988

Whereas Gary Kivinen hereby represents that the Sudbury Cardio-Thoracic Foundation, herein called the Corporation, was incorporated by letters patent dated the 7th day of May, 1965; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982 and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicant Gary Kivinen was a director and officer of the Corporation at the time of its dissolution and is an officer of the on-going organization; that the default occurred by reason of inadvertence; that the applicant was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the function of the Corporation was to promote, encourage; assist and fund research and scholarship into and to provide facilities for the study of diseases and disorders of the circulatory and pulmonary systems and related illnesses; that the Corporation at the time of its dissolution was performing that function and since that time that function has continued to be carried on in the name of the Corporation; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sudbury Cardio-Thoracic Foundation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a corporation, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts

Corporation
revived

as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Sudbury Cardio-Thoracic Foundation Act, 1988*.

CHAPTER Pr7

An Act to revive 353583 Ontario Limited

Assented to January 7th, 1988

Whereas Allistair Lorne Campbell and Sydney Chertkoff hereby represent that 353583 Ontario Limited, hereinafter called the Corporation, was incorporated by articles of incorporation dated the 11th day of March, 1977; that the Minister of Consumer and Commercial Relations by order dated the 22nd day of March, 1982 and made under subsection 242 (3) of the *Business Corporations Act*, cancelled the certificate of incorporation of the Corporation for default in complying with the *Corporations Tax Act* and declared the Corporation to be dissolved on the 22nd day of March, 1982; that the applicants were all the directors and the holders of 99 per cent of the common shares of the Corporation at the time of its dissolution; that the failure to comply with the *Corporations Tax Act* was by reason of inadvertence on the part of the Corporation when its books and records were wrongfully appropriated by a disgruntled employee; that the illness and ultimate death of the former solicitor of the Corporation prevented the timely filing of articles of revival under the *Business Corporations Act*, 1982; that the Corporation at the time of its dissolution was carrying on active business and has continued to carry on such business since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 54R.S.O. 1980,
c. 97

1982, c. 4

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. 353583 Ontario Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *353583 Ontario Limited Act, 1988*.

CHAPTER Pr8

An Act to revive the Toronto Ski Club*Assented to January 7th, 1988*

Whereas Eric Button and David Kinnear hereby represent Preamble
that the Toronto Ski Club, herein called the Corporation, was
incorporated by letters patent dated the 20th day of October,
1924, as a corporation without share capital; that the Minister
of Consumer and Commercial Relations by order dated the
8th day of September, 1982, and made under the authority of
subsection 317 (9) of the *Corporations Act*, being chapter 95
of the Revised Statutes of Ontario, 1980, cancelled the letters
patent of the Corporation for default in complying with section
5 of the *Corporations Information Act*, being chapter 96
of the Revised Statutes of Ontario, 1980, and declared the
Corporation to be dissolved on the 8th day of September,
1982; that the applicants were members, directors and officers
of the Corporation at the time of its dissolution and are mem-
bers and officers of the on-going organization carried on in
the name of the Corporation since its dissolution; that the
notice of default and the notice of dissolution issued on behalf
of the Minister were not received by the Corporation or any
of its officers and directors; that the default and failure to
comply occurred by reason of inadvertence; that the appli-
cants were not aware of the dissolution of the Corporation
until more than two years after the date thereof; that at the
time of dissolution the Corporation held certain real and per-
sonal property on behalf of its members; and whereas the
applicants hereby apply for special legislation reviving the
Corporation; and whereas it is expedient to grant the appli-
cation;

Therefore, Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. The Toronto Ski Club is hereby revived and is, subject Corporation
revived
to any rights acquired by any person after its dissolution,
hereby restored to its legal position as a corporation, including
all its property, rights, privileges and franchises and subject to
all its liabilities, contracts, disabilities and debts as of the date
of its dissolution in the same manner and to the same extent
as if it had not been dissolved.

Corporation
substituted
for Public
Trustee
1982, c. 4

2. The Toronto Ski Club is substituted in place of the Public Trustee in respect of any action or proceeding taken by the Public Trustee under section 184 of the *Business Corporations Act, 1982* in respect of the assets of the dissolved Corporation.

Public
Trustee
to be
indemnified

3. The Toronto Ski Club shall indemnify the Public Trustee for all costs, liabilities and obligations incurred by the Public Trustee as a result of any action taken by the Public Trustee under section 184 of the *Business Corporations Act, 1982* in respect of the assets of the dissolved Corporation.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Toronto Ski Club Act, 1988*.

CHAPTER Pr9

An Act respecting the City of Windsor

Assented to January 7th, 1988

Whereas The Corporation of the City of Windsor, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section, “screening fence” means,

Definition

- (a) a berm;
- (b) a dense evergreen hedge;
- (c) an ornamental fence of solid construction excluding a chainlink or other wire fence;
- (d) an ornamental wall of concrete, brick or stone; or
- (e) any combination of the above.

(2) In a by-law passed under paragraph 149 of section 210 of the *Municipal Act*, the Corporation may require the owners or operators of public garages to erect, maintain and repair, at their own expense, screening fences around public garages to visually separate areas and to block off views.

By-laws
respecting
screening
fences
R.S.O. 1980,
c. 302

(3) A by-law passed under subsection (2) may require that the screening fence be continuous except at driveway entrances or where lines of sight are required for traffic safety purposes.

Continuous
screening
fence

2. Section 2 of *The City of Windsor Act, 1977*, being chapter 112, as amended by the Statutes of Ontario, 1978, chapter 152, section 4, is repealed and the following substituted therefor:

2.—(1) The council of the Corporation may pass any by-law that The Board of Commissioners of Police for the City of

Licensing by-
laws

R.S.O. 1980,
c. 302,
1972, c. 204

Windsor is authorized to pass under the *Municipal Act* or under section 2 of *The City of Windsor Act, 1972*.

Licensing
commission

(2) The council of the Corporation may by by-law establish a licensing commission for the Corporation to be known as the Windsor Licensing Commission composed of three members, one of whom shall be a member of council and two persons who are qualified to hold office as a member of council under section 37 of the *Municipal Act*.

Powers

(3) The Windsor Licensing Commission may license any trade, calling, business or occupation authorized by by-law of the council under this or any other Act.

Term of
office

(4) Members of the Windsor Licensing Commission shall be appointed by the council for a term of one year or until their successors are appointed and are eligible for re-appointment but no member shall hold office beyond the term of the council that made the appointment.

Vacancies

(5) Where a vacancy occurs in the membership of the Commission, the council of the Corporation shall appoint another person for the unexpired portion of the term.

Quorum

(6) The Commission shall elect a chairman and a majority of the members constitutes a quorum.

Payments
to members

(7) The council of the Corporation may provide for the payment of salaries, expenses or allowances for the members of the Windsor Licensing Commission.

Powers

(8) The power granted to license any trade, calling, business or occupation or the person carrying on or engaged in it includes,

- (a) the power to prohibit the carrying on or the engaging in it without a licence;
- (b) the power, after hearing the licensee, to impose conditions on the issuance of a licence or to suspend or revoke a licence; and
- (c) the power to regulate or govern any trade, calling, business or occupation or the person carrying on or engaging in it.

Application
of R.S.O.
1980, c. 484

(9) The *Statutory Powers Procedure Act* applies to the hearing conducted by the Windsor Licensing Commission under clause (8) (b).

(10) Where a by-law has been passed by the council of the Corporation under this Act, any by-law of The Board of Commissioners of Police for the City of Windsor respecting licensing has no effect.

Effect of
passing by-
law

(11) The council of the Corporation may by by-law appoint a licence commissioner who, upon receipt of an application for a licence or renewal thereof, shall make all investigations required by law or by the Windsor Licensing Commission relative to the application and, if the investigations disclose that the applicant is not of good character or that the carrying on of the trade, calling, business or occupation is likely to result in a breach of the law or be adverse to the public interest, the licence commissioner shall recommend to the Windsor Licensing Commission that it not issue or renew the licence or that it impose conditions on the issuance of a licence, otherwise, the licence commissioner shall recommend to the Windsor Licensing Commission that it issue or renew the licence.

Licence
commis-
sioner,
investigations

(12) Where, in the opinion of the licence commissioner, the carrying on of a trade, calling, business or occupation by a licensee will likely result in a breach of the law or be adverse to the public interest, the licence commissioner shall recommend to the Windsor Licensing Commission that it suspend, revoke or impose conditions on the licence.

Suspend or
revoke
licence

(13) The council of the Corporation may by by-law,

Licence fees

- (a) fix an annual fee for the issue or renewal of any licence and charge penalties for the late payment thereof; and
- (b) reduce the licence fee where the licence is in effect for less than one year.

(14) The council of the Corporation may by by-law authorize the licence commissioner of the Corporation, without holding a hearing,

Temporary
suspension

- (a) to suspend any licence for such time and subject to such conditions as the by-law may provide if the licensee has been convicted of a criminal offence so long as the suspension is made within thirty days of the conviction and such suspension may be made notwithstanding that an appeal has been taken from the conviction;
- (b) to suspend any licence for such time and subject to such conditions as the by-law may provide if the licence commissioner knows or has reason to

R.S.O. 1980,
c. 198

believe that a safety standards certificate under the *Highway Traffic Act*, was denied with respect to a motor vehicle used in the licensed trade, calling, business or occupation if, without the appropriate repairs having been made, the motor vehicle is being used on any public highway; and

- (c) to order a licensee to stop using any motor vehicle used in the licensed trade, calling, business or occupation until such time as the licensee provides the licence commissioner with a safety standards certificate issued under the *Highway Traffic Act* with respect to the motor vehicle and the by-law may authorize the licence commissioner to suspend, subject to such conditions as the by-law may provide, the licensee's licence if the licensee fails, within twenty-four hours of the making of the order, to comply with the order or provide proof satisfactory to the licence commissioner that the motor vehicle is not being used on any public highway.

Idem

(15) No suspension of a licence by the licence commissioner of the Corporation is effective after the expiration of two weeks from the date of suspension or after the next meeting of the licensing commission after the suspension, whichever occurs first.

Conflict

R.S.O. 1980,
c. 302

(16) If a by-law passed under this section conflicts with the provisions of any Act, other than the *Municipal Act*, for licensing, regulating or otherwise controlling any business or the person carrying on any business, the provision of that Act prevails to the extent of the conflict.

3. Subsection 3 (9) of the *City of Windsor Act, 1982 (No. 2)*, being chapter 94, is repealed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of Windsor Act, 1988*.

CHAPTER Pr10

**An Act to revive
Community Youth Programs Incorporated**

Assented to January 7th, 1988

Whereas Edward Crighton, Betts Engell, Nicholas Faragher, Larry Hardabura and Elizabeth Mander hereby represent that Community Youth Programs Incorporated, herein called the Corporation, was incorporated by letters patent dated the 11th day of December, 1973; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982 and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that notice of the default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that Edward Crighton is the chairman of the ongoing organization carried on in the name of the Corporation and all the applicants are directors thereof; that none of the applicants was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was operating a group home and related charitable functions authorized by its letters patent and since that time those functions have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Community Youth Programs Incorporated is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises, and

Corporation
revived

subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Community Youth Programs Incorporated Act, 1988*.

CHAPTER Pr11

An Act respecting Conrad Grebel College

Assented to January 7th, 1988

Whereas the churches of the Western Ontario Mennonite Conference, the Mennonite Conference of Ontario and Quebec and the United Mennonite Church of Ontario determined to establish a college of higher learning; that for such purposes Conrad Grebel College was incorporated by letters patent on the 20th day of April, 1961 and has provided post secondary education since such date; that the College has been affiliated with the University of Waterloo since the 15th day of December, 1961; and whereas the applicant hereby applies for special legislation providing for the continuance of its organization, government and administration, including the power to grant degrees in the field of theology; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“alumni association” means such organization of alumni as is from time to time recognized by by-law by the board;

“board” means the board of governors of the College;

“Charter Corporation” means Conrad Grebel College as it existed immediately prior to the coming into force of this Act;

“College” means Conrad Grebel College as incorporated under subsection 2 (1);

“faculty” means all persons employed by the board on a full-time basis for teaching or research or both;

“students” means those persons who are registered as students or who live in a residence operated by the College.

Charter
Corporation
reincor-
porated

2.—(1) The board of governors of the College is hereby constituted a body corporate without share capital under the name of "Conrad Grebel College".

Rights and
liabilities
continued

(2) The property, rights, privileges and powers of the Charter Corporation are hereby continued and vested in the College and the liabilities of the Charter Corporation together with the benefits and burdens of all contracts and covenants of the Charter Corporation are hereby continued in and assumed by the College.

By-laws, etc.,
continued

(3) Subject to this Act, all by-laws, regulations, resolutions and appointments of the Charter Corporation shall continue as by-laws, regulations, resolutions and appointments of the College until amended, repealed or revoked.

Charter
Corporation
dissolved

(4) The Charter Corporation is dissolved on the day this Act comes into force.

Objects

3. The objects of the College are,

- (a) to provide post secondary courses of study in the general arts, humanities and sciences; and
- (b) to provide at the post secondary level, degrees, diplomas and certificate programs and courses of study based on Christian theology.

Powers

4. The College has all the powers necessary to do such things as are incidental or conducive to the attainment of its objects, including, without limiting the generality of the foregoing, the power,

- (a) to establish and maintain faculties, schools, institutes, centres, departments, chairs and courses of instruction;
- (b) to confer the following degrees in theology, namely, Bachelor of Theology, Master of Divinity, Master of Theological Studies, Master of Christian Studies, Master of Religious Education, Master of Theology, Master of Sacred Music, Doctor of Theology, Doctor of Ministry and the honorary Doctorate of Divinity; and
- (c) to federate or affiliate with other universities, colleges and institutions.

Investment

5. The funds of the College not immediately required for its purposes and the proceeds of all property that come to the

College subject to any trusts affecting them may be invested in such investments as the board considers proper.

6.—(1) The affairs of the College shall be managed by the board.

College
managed by
the board

(2) The board shall consist of,

Composition
of board

- (a) the president of the College, *ex officio*;
- (b) three members to be elected by the Western Ontario Mennonite Conference;
- (c) three members to be elected by the Mennonite Conference of Ontario and Quebec;
- (d) three members to be elected by the United Mennonite Conference of Ontario;
- (e) one member appointed by and from the alumni association;
- (f) one member appointed by and from the faculty of the College;
- (g) one member appointed by and from the students of the College;
- (h) such other members, not exceeding four in number, as may be appointed by the board.

(3) If two or three of the organizations mentioned in clause (2) (b), (c) or (d) unite, the successor organization shall be entitled to elect six or nine members, respectively, to the board.

Merger of
organizations

(4) The board may by by-law increase the size of the board to a maximum of twenty-two members with the appointment of the additional members to be determined by the by-law, but the students, faculty and staff shall not individually or collectively form a majority of the board.

Idem

(5) Subject to subsection (6), members of the board, other than the president, shall hold office for three years and shall be eligible for reappointment for one additional consecutive term.

Term of
office

(6) Members appointed under clause (2) (f) or (g) shall hold office for one year and shall be eligible for reappointment for one additional consecutive term.

Idem

Staggered
terms

(7) The board may by by-law provide for the appointment and retirement in rotation of the first members of the board appointed under subsection (2) and may determine that one or more of the first members so appointed shall serve for an initial term of less than three years.

First
members

(8) The board, until reconstituted in accordance with subsection (2), shall consist of those persons who, immediately prior to the coming into force of this Act, were members of the board of the Charter Corporation.

New board

(9) The board shall be reconstituted in accordance with subsection (2) within twelve months of the coming into force of this Act.

Quorum

(10) The quorum for the transaction of business of the board may be designated by by-law of the board.

Citizenship
or resident
status
1976-77,
c. 52 (Can.)

(11) Members of the board shall be Canadian citizens or permanent residents within the meaning of the *Immigration Act, 1976* (Canada).

Powers of
board

7. Except as provided by any agreement of federation or affiliation with any university or college, the government, conduct, management and control of the College and of its property, revenues, expenditures, business and affairs are vested in the board and the board has all powers necessary or convenient to perform its duties and achieve the objectives and purposes of the College, including, without limiting the generality of the foregoing, the power,

- (a) to enact by-laws for the conduct of its affairs;
- (b) to appoint and remove the president and officers of the College;
- (c) to establish and terminate programs and courses of study;
- (d) to grant tenure, promotions and leave, and to suspend and remove the academic officers and members of the faculty;
- (e) to establish and collect fees and charges for tuition and for services of any kind offered by the College and collect fees and charges on behalf of any entity, organization or element of the College; and

- (f) to grant diplomas, certificates and undergraduate and graduate degrees in theology, including honorary degrees in theology.
- 8.—(1) Subject to subsections (2) and (3), meetings of the board shall be open to the public and prior notice of the meeting shall be given to the members of the board and to the public in such manner as the board by by-law determines and no person shall be excluded from a meeting except for improper conduct as determined by the board.

Meetings open to the public
- (2) Where matters confidential to the College are to be considered, the part of the meeting concerning such matters may be held *in camera*.

Exception
- (3) Where a matter of a personal nature concerning an individual may be considered at a meeting, the part of the meeting concerning such individual shall be held *in camera* unless there is mutual agreement to the contrary by the board and the individual that such part of the meeting should be open to the public.

Idem
- (4) The by-laws of the board shall be open to examination by the public during normal office hours of the College.

By-laws open to public
- (5) The board shall publish its by-laws from time to time in such manner as it may consider proper.

Publication of by-laws
- 9.—(1) The board shall appoint one or more auditors licensed under the *Public Accountancy Act* to audit the accounts and transactions of the board at least annually.

Annual audit
R.S.O. 1980, c. 405
- (2) A copy of the audited annual statement shall be made available for inspection by the public during the normal office hours of the College.

Inspection of annual statement
10. The College shall be carried on without the purpose of gain for the members of the board and any profits or other accretions to the College shall be used in promoting its objects.

Non-profit corporation
11. Upon the dissolution of the College and after the payment of all debts and liabilities, the remaining property of the College shall be distributed or disposed of equally to the Western Ontario Mennonite Conference, the Mennonite Conference of Ontario and Quebec and the United Mennonite Conference of Ontario or their successors.

Dissolution

Commence-
ment

12. This Act comes into force on the day it receives Royal Assent.

Short title

13. The short title of this Act is the *Conrad Grebel College Act, 1988*.

CHAPTER Pr12

An Act to revive Big Cedar Association

Assented to May 24th, 1988

Whereas Barbara Carrick, E.W. Maindonald, Mary Dame, Bruce Bone, David Stinson, Edwin Otten, E.F. Potma, David Abernethy, Brian Peterkin, Katherine Lloyd, Joel Ross and Edward Harris hereby represent that Big Cedar Association, herein called the Corporation, was incorporated by letters patent dated the 8th day of June, 1922; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants are executive members and directors of the on-going organization carried on in the name of the Corporation; that the default occurred by reason of inadvertence; that none of the applicants were aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of the dissolution was carrying on the recreational functions authorized by its letters patent and since that time these functions have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Big Cedar Association is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Big Cedar Association Act, 1988*.

CHAPTER Pr13

An Act respecting The Chartered Institute of Marketing Management of Ontario

Assented to May 24th, 1988

Whereas The Canadian Institute of Marketing/L'Institut Canadien du Marketing hereby represents that it was incorporated under the laws of Canada by letters patent dated the 19th day of May, 1983 and that it is desirous of creating a provincial institute to be known as The Chartered Institute of Marketing Management of Ontario, herein called the Institute, for the purpose of carrying out the objects of the proposed corporation and of the government and discipline of its members; and whereas it is considered desirable to grant to the members of the Institute the right to use the initials "M.C.Inst.M." or "AM.C.Inst.M." to indicate that the person is a member or associate member, respectively, of the Institute and whereas the Institute hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"board" means the board of directors of the Institute;

"registered" means registered as a member under this Act, and "registration" has a corresponding meaning.

2. The persons resident in Ontario who are members of The Canadian Institute of Marketing/L'Institut Canadien du Marketing on the day this Act comes into force and such other persons as become members of the Institute are constituted a body corporate without share capital under the name of "The Chartered Institute of Marketing Management of Ontario".

Institute
incorporated

3. The first board and officers of the Institute shall be those persons named in the Schedule and they shall hold

First
board

office until their successors are appointed or elected in accordance with this Act and the by-laws.

Objects

4. The objects of the Institute are,

- (a) to furnish the means and facilities by which members and students of the Institute may increase their knowledge, skill and efficiency in all things related to the business or profession of marketing;
- (b) to hold examinations and prescribe tests of competency to qualify for admission to membership in the Institute; and
- (c) to maintain discipline among members and students of the Institute.

Board of directors

5.—(1) The affairs of the Institute shall be managed by a board of directors that shall consist of not fewer than five or more than thirty-five members of the Institute, as the board may from time to time determine, elected from the membership to the Institute.

Idem

(2) Notwithstanding subsection (1), the Institute may by by-law provide for the appointment to the board of up to two persons who are not members of the Institute.

Matters covered by by-laws

(3) The manner of electing the members of the board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes, the tenure of office of members of the board and other necessary details shall be as set out in the by-laws.

Quorum

6. At any meeting of the board, a majority of the members of the board constitutes a quorum.

Chairman, etc.

7. The board shall elect from its number a chairman and vice-chairman and shall appoint a secretary-treasurer or a secretary and a treasurer, who need not be members of the board.

Vacancies

8. In the case of the death, resignation or incapacity of any member of the board, the office shall be declared vacant by the board and the board shall fill the vacancy in such manner as may be provided by the by-laws of the Institute for the balance of the term and, for the purposes of this section, absence from three consecutive meetings of the board may be treated by the board as incapacity.

9. The board shall appoint a registrar, who need not be a member of the board, and the registrar shall perform the functions assigned to him or her by this Act and such other duties as may be assigned by the board. Registrar

10. At any general or special meeting, members of the Institute may be represented by proxy and members may vote by proxy, but, Proxies

- (a) no proxy shall be exercised by a person who is not a member of the Institute; and
- (b) the proxy shall be exercised in accordance with the by-laws on voting and proxies.

11. The board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Institute, and without restricting the generality of the foregoing, in addition to the matters specifically provided elsewhere in this Act, the board may pass by-laws, By-laws

- (a) prescribing the qualifications for and conditions of registration of members;
- (b) prescribing a curriculum and courses of study to be pursued by students and the subjects upon which students and candidates for admission as members of the Institute shall be examined, and for granting certificates to students and candidates who have successfully passed the examinations;
- (c) regulating and governing the conduct of members of the Institute in the practice of their business or profession, by prescribing a code of ethics, rules of professional conduct and standards of practice, and by providing for the suspension, expulsion or other penalty for professional misconduct, incapacity or incompetence;
- (d) prescribing fees payable to the Institute;
- (e) governing the calling, holding and conducting of meetings of the board and of the members of the Institute;
- (f) establishing and providing for the administration of a benevolent fund for the benefit of any member of the Institute or the families of deceased members of the Institute who may require financial assistance and, for that purpose, providing for the receipt of

contributions or donations and for contributions from the funds of the Institute; and

- (g) authorizing the making of grants for any purpose that may tend to advance marketing knowledge and education, or improve standards of practice in the Institute or support and encourage public information and interest in the past and present role of the Institute in society.

Confirmation
of by-laws

12. Every by-law or change to an existing by-law is effective when it is passed by the board but expires with the close of the next annual meeting of the members of the Institute held after its passing, unless it is confirmed at that meeting.

Inspection
of by-laws

13. The by-laws of the Institute shall be open to examination by the public at the head office of the Institute during normal office hours.

Membership

14. The Institute shall grant a membership in the Institute to any individual who applies therefor in accordance with the by-laws, if the individual,

- (a) is of good character;
- (b) is not less than eighteen years of age;
- (c) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership; and
- (d) has passed such examinations as the board may set or approve in accordance with the by-laws.

Designation

15.—(1) Every registered member of the Institute may use after the member's name the initials "M.C.Inst.M." or "AM.C.Inst.M." indicating that the person is a registered member or associate member, respectively, of the Institute.

Offence

(2) Any person in Ontario who, not being a registered member of the Institute, takes or uses the initials "M.C.Inst.M." or "AM.C.Inst.M." or any word, name, title, initial or designation that implies or suggests that that person is a registered member or associate member of the Institute is guilty of an offence.

Register

16.—(1) The registrar of the Institute shall keep a register in which shall be entered the names of all members of the Institute in good standing and only those persons so registered

are members entitled to the privileges of membership in the Institute.

(2) The register shall be open to examination by the public at the head office of the Institute during normal office hours.

Inspection of register

17.—(1) An individual who is qualified for membership in the Institute and who has been refused membership or a person who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court from the refusal to grant membership or from the sanction.

Appeals

(2) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of a reasonable fee therefor, the registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from.

Record

18.—(1) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the registrar of the Institute, is sufficient evidence of all persons who are registered in lieu of the production of the original register, and any certificate upon such copy of the register purporting to be signed by a person in the capacity as registrar is proof, in the absence of evidence to the contrary, that the person is the registrar without proof of the person's signature or of that person being the registrar.

Evidence

(2) The absence of the name of any person from a copy of the register produced under subsection (1) is proof, in the absence of evidence to the contrary, that the person is not registered.

Idem

19. This Act does not affect or interfere with the right of any person who is not a member of the Institute to practice as a marketer in the Province of Ontario.

Right to practice unaffected

20. Any surplus derived from carrying on the affairs and business of the Institute shall be devoted and applied solely in promoting and carrying out its objects and purposes and shall not be divided among its members.

Surplus

21. This Act comes into force on the day it receives Royal Assent.

Commencement

22. The short title of this Act is the *Chartered Institute of Marketing Management of Ontario Act, 1988*.

Short title

SCHEDULE

Peter Brunner

David N. Fenn

Patrick G. Field

James H. Jarrett

William C. Johnston

Peter L. Schwartz

Leonard G. Weeks

Peter T. Zarry

CHAPTER Pr14

**An Act respecting the
Oshawa Public Utilities Commission**

Assented to May 24th, 1988

Whereas the Oshawa Public Utilities Commission, herein called the Commission, hereby applies for special legislation to enable it to pay the whole or part of the cost of the Ontario Health Insurance Plan and the whole or part of the cost of a supplementary health insurance plan for the spouses and children of deceased employees; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Commission may provide insurance in respect of hospital, medical, surgical, nursing or dental services and the payment therefor for the spouses and children of deceased employees in the same manner as it may provide for the spouses and children of retired employees under paragraph 48 of section 208 of the *Municipal Act*.

Insurance,
hospitali-
zation, etc.

R.S.O. 1980,
c. 302

(2) The Commission may contribute toward the cost to the spouses and children of deceased employees of the plan of insurance provided for under the *Health Insurance Act*.

Contributions
to plan under
R.S.O. 1980,
c. 197

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Oshawa Public Utilities Commission Act, 1988*.

Short title

CHAPTER Pr15

An Act to revive L F P Management Limited*Assented to May 24th, 1988*

Whereas Louis F. Peters hereby represents that L F P Management Limited, herein called the Corporation, was incorporated by letters patent dated the 10th day of October, 1967; that the Minister of Consumer and Commercial Relations by order dated the 17th day of February, 1981 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act*, 1972, being chapter 143, and declared the Corporation to be dissolved on the 17th day of February, 1981; that the applicant was the president, general manager and a director of the Corporation at the time of dissolution; that default in filing the annual returns occurred by reason of inadvertence; that the Corporation at the time of its dissolution was actively carrying on the business authorized by its letters patent and since that time active business has continued to be carried on in the name of the Corporation; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. L F P Management Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *L F P Management Limited Act, 1988*.

Short title

CHAPTER Pr16

An Act respecting the City of Sudbury

Assented to May 24th, 1988

Whereas The Corporation of the City of Sudbury, herein called the Corporation, considers it expedient to establish a local board to manage and operate an annual winter festival known as the Sudbury Snowflake Festival or such other festival as may be authorized by by-law of the council; and whereas it is in the public interest to implement the objects of the local board; and whereas the applicant hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“board” means The Sudbury Snowflake Festival Board;

“council” means the council of the Corporation.

2.—(1) The council may by by-law establish a local board to be known as “The Sudbury Snowflake Festival Board”.

Local board established

(2) The objects of the board are to plan, promote, co-ordinate, administer and manage an annual winter festival held in the City of Sudbury known as the Sudbury Snowflake Festival, or such other festival authorized by by-law of council.

Objects of the board

3. The board may,

Powers

- (a) receive, manage and use donations by any person and grants made by the council to further its objects;
- (b) appoint such employees as it considers necessary, determine the term of their employment, fix their remuneration and prescribe their duties;
- (c) maintain its own bank account;

- (d) borrow money solely from the Corporation with the approval of council on such terms as to interest and repayment as may be determined by council;
- (e) acquire in its own name real or personal property; and
- (f) enter into agreements with the Corporation or any person.

Composition
of board

4.—(1) The board is a body corporate and shall consist of such number of members as council considers advisable, at least two of whom shall be members of council.

Term of
office

(2) The members of the board shall be appointed by by-law for a term up to three years but not exceeding the life of the council that appointed them and until their successors are appointed, and any member is eligible for reappointment.

Remuner-
ation

(3) The members of the board shall serve without remuneration.

Termination

(4) The council may at any time by by-law terminate the office of a member of the board.

Vacancies

(5) Where a person ceases to be a member of the board before the expiration of his or her term, the council may appoint another person for the unexpired portion of the term.

Officers

5. The board shall, in each year, elect a chairperson, vice-chairperson and secretary and such other officers as it considers necessary to conduct the business of the board during the year.

Meetings

6.—(1) The board shall meet at least four times in every calendar year.

Notice of
meeting

(2) Advance notice of every meeting shall be given to each member of the board in the time period specified by by-law of council.

Quorum

(3) A majority of the members of the board constitutes a quorum.

Minutes of
meeting

(4) The board shall keep proper minutes and records of every meeting of the board and shall forward true copies of the minutes and records to all members of the board and to the clerk of the Corporation as soon as possible after each meeting.

- 7.—(1) The board shall appoint a general manager who shall be the chief administrative officer of the board.

General manager
- (2) The board may delegate to the general manager the exercise of such power and authority as it may determine for the proper conduct of the business conducive to the objects of the board.

Delegation
8. The board shall maintain, at its own expense, such policies of insurance in respect of the board as are required for its purposes.

Insurance
9. The fiscal year of the board shall be the calendar year.

Fiscal year
10. The treasurer of the Corporation shall be the treasurer of the board.

Treasurer
- 11.—(1) The auditor of the Corporation shall audit the accounts and transactions of the board annually.

Annual audit
- (2) The board shall, as soon as possible after the 31st day of March in each year, submit to the council the audited financial statements.

Financial statements to be submitted to council
12. The council may require the board to report to the council on any matter relating to the carrying out of the objects of the board.

Reports to council
- 13.—(1) The annual budget or any part thereof of the board shall be subject to the approval of council and shall be submitted to council at the time and in the form prescribed by council by by-law, and council may approve or reject any part thereof and may designate the purposes for which grants made by the Corporation shall be expended.

Budget to be approved by council
- (2) The board may, within the limits of the budget approved by council, incur expenses and pay salaries, fees and any other sums of money required by the board for the carrying out of its objects.

Sums may be expended within approved budget
- 14.—(1) The council may by by-law dissolve the board.

Dissolution of board
- (2) The property and the income, revenue and accretions of the board shall be applied solely to promote the objects of the board and, upon the dissolution of the board, any property or assets remaining after the payment of debts shall vest in the Corporation to form part of its general funds.

Transfer of assets upon dissolution

Other name
or
designation

15. With the approval of the council, the board may identify itself to the public by a name or style other than that designated in subsection 2 (1).

Commence-
ment

16. This Act comes into force on the day it receives Royal Assent.

Short title

17. The short title of this Act is the *City of Sudbury Act, 1988*.

CHAPTER Pr17

An Act respecting the City of Mississauga

Assented to May 24th, 1988

Whereas The Corporation of the City of Mississauga hereby applies for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Corporation” means The Corporation of the City of Mississauga;

“council” means the council of The Corporation of the City of Mississauga.

2.—(1) The council may pass by-laws for providing pensions for members of the council and their surviving spouses and children in respect of both current and prior service on council in an amount not exceeding 1.5 per cent of pensionable earnings multiplied by the total number of years and part of a year of credited service up to a maximum of 70 per cent of pensionable earnings when combined with any pension payable under the *Ontario Municipal Employees Retirement System Act*.

By-laws
respecting
pensions

R.S.O. 1980,
c. 348

(2) In subsection (1), “credited service” and “pensionable earnings” have the same meaning as in Regulation 724 of Revised Regulations of Ontario, 1980 made under the *Ontario Municipal Employees Retirement System Act*.

Definitions

(3) A by-law passed under subsection (1) may provide that a member of council shall contribute up to 50 per cent of any payments required in respect of benefits for prior service on council and that such payments may be on a deferred basis.

Prior service

Amendments
to by-law

(4) A by-law passed under subsection (1) may be amended to vary the amounts of the pensions under that subsection or the payments required by subsection (3).

Two-thirds
vote required

(5) No by-law under subsection (1) and no by-law amending such a by-law shall be passed except on an affirmative vote of at least two-thirds of the council present and voting thereon.

Adminis-
tration

3.—(1) The Corporation and the Ontario Municipal Employees Retirement Board or any other qualified person may enter into agreements to administer pensions provided under this Act.

Idem

(2) The Corporation may enter into agreements to administer pensions provided under this Act and the agreement may authorize the Corporation to enter an agreement under subsection (1) with respect to pensions administered under an agreement made under this subsection.

Deductions

(3) The Corporation shall deduct by instalments from the remuneration of a member of council the amount that the member is required to pay under the terms of a pension plan established under this Act.

Non-
application
R.S.O. 1980,
c. 347

4. Sections 64 and 65 of the *Ontario Municipal Board Act* do not apply so as to require Municipal Board approval with respect to pensions provided under this Act.

Transition

5. A pension may be provided under this Act to a person who was a member of council on the 1st day of January, 1987, even though the person is not a member of council on the day the by-law establishing the pension plan is passed and the pension may be paid retroactive to that date.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. The short title of this Act is the *City of Mississauga Act, 1988*.

CHAPTER Pr18

An Act respecting the Hamilton Civic Hospitals

Assented to May 24th, 1988

Whereas the Hamilton Civic Hospitals, herein called the corporation, hereby represents that it was incorporated by *The Hamilton Civic Hospitals Act, 1961-62*, being chapter 152, under the name "The Board of Governors of the Hamilton Civic Hospitals"; that by supplementary letters patent dated the 17th day of May, 1977, the name of the corporation was changed to "Hamilton Civic Hospitals"; and whereas the special Act was revised by *The Hamilton Civic Hospitals Act, 1978*, being chapter 121; and whereas The Regional Municipality of Hamilton-Wentworth and the corporation wish to revise the corporation's Act of incorporation so that the Regional Municipality will no longer be responsible for the operating grants or operational debt of the corporation and so that the regional representation on the board of directors of the corporation is decreased; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"board" means the board of directors of the corporation;

"City" means The Corporation of the City of Hamilton;

"city council" means the council of the City;

"hospitals" means the hospitals and related facilities operated by the corporation;

"Region" means The Regional Municipality of Hamilton-Wentworth;

"regional council" means the council of The Regional Municipality of Hamilton-Wentworth.

Corporation
continued

2. Hamilton Civic Hospitals is hereby continued as a corporation without share capital and shall be composed of those persons who comprise its board.

Objects and
purposes

3. The objects and purposes of the corporation are to operate, maintain and manage the hospitals.

Board of
directors

4.—(1) The board shall be constituted as follows:

1. The mayor of the City but, if the mayor is unwilling or unable to be a member of the board, a member of city council appointed by city council for the remainder of the term for which the mayor was elected.
2. The chairman of the Region or, if the chairman is unwilling or unable to be a member of the board, a member of the regional council appointed by regional council for the remainder of the term for which the chairman was elected or appointed.
3. One person appointed by and from the regional council for the term of the regional council, so long as that person remains a member of the regional council.
4. One person appointed by and from the city council for the term of the city council, so long as that person remains a member of the city council.
5. The president of the Volunteer Association of Hamilton Civic Hospitals.
6. Sixteen persons appointed by the city council for a term of four years of whom eight shall be nominated by the city council and eight shall be nominated by The Hamilton Civic Hospitals Foundation.
7. Such persons as are provided for under the *Public Hospitals Act*.

R.S.O. 1980,
c. 410

Transition

(2) Every member of the board in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires.

Eligibility

(3) A person elected to the regional council or the city council is not eligible to be appointed a member of the board under paragraph 6 of subsection (1) during the term for which that person was elected.

- (4) If a vacancy occurs in the membership of the board, the body who appointed the member shall appoint a person to fill the vacancy and the appointee shall hold office for the remainder of the unexpired term of the vacating member.

Vacancy
- (5) Members of the board are eligible for reappointment.

Reappointment
- (6) The board shall meet at least once every three months.

Meetings of board
- (7) The board may elect from the members an executive committee consisting of not less than three and not more than seven members and delegate to the executive committee any of its powers.

Executive committee
- (8) Nine members constitute a quorum of the board.

Quorum
- (9) The members of the board shall serve without remuneration except for actual disbursements incurred in connection with the affairs of the corporation and approved by the board.

Remuneration
5. The board may,

Powers
- (a) subject to the *Public Hospitals Act*, enact by-laws for the general management, operation and maintenance of the hospitals;

R.S.O. 1980, c. 410
- (b) subject to the *Health Insurance Act*, fix the fees to be charged to patients for accommodation in and services rendered by the hospitals;

R.S.O. 1980, c. 197
- (c) invest any funds of the corporation in such securities as are authorized by law for investment by trustees under the *Trustee Act*; and

R.S.O. 1980, c. 512
- (d) subject to the *Public Hospitals Act*, plan, contract for and supervise the erection, equipping and furnishing of additional hospitals and the alteration or enlargement of existing hospitals to the extent of any funds available from any source for such purposes.
- 6.—(1) All personal property used by the corporation in the operation of the hospitals is vested in the corporation.

Personal property
- (2) The lands, buildings and fixtures owned by the City on the day this Act comes into force for hospital purposes shall continue to be vested in the City until the same or any portions thereof are sold or otherwise disposed of by the City, and the City may continue to acquire and hold lands, buildings and fixtures for hospital purposes.

Property owned by City

Sale or disposal of property owned by City

(3) The City shall not sell or otherwise dispose of any lands, building or fixtures used for hospital purposes unless,

(a) they are no longer required for hospital purposes; and

(b) the corporation consents to the sale or disposal.

Liabilities

7. The corporation is responsible for the payment of all liabilities in respect of the general management, operation and maintenance of the hospitals.

Auditor

R.S.O. 1980,
c. 405

8.—(1) The board shall appoint a public accountant licensed under the *Public Accountancy Act* as auditor of the corporation.

Annual report

(2) The annual report of the corporation shall be submitted to city council.

Gift, etc.

9. All gifts, trusts, bequests, devises and grants of real or personal property in a deed or will to the City Hospital of Hamilton, now known as Hamilton General Hospital, the Mount Hamilton Hospital, the Nora-Frances Henderson Hospital or Hamilton Civic Hospitals shall, in the absence of an expressed intention to the contrary set out in such deed or will, be construed as though the same had been expressed to be made, in the case of personal property, to the corporation and, in the case of real property, to the City for the purposes of the corporation.

Right of recourse

10. Any payment made by the Region of an account to it by the corporation for treatment of a patient or for any expenses of burial of a deceased patient may be recovered by the Region in the same manner as a municipality under section 24 or 25 of the *Public Hospitals Act*.

R.S.O. 1980,
c. 410

Claims against corporation

11. All claims, accounts and demands arising from or relating to the management, operation or maintenance of the hospitals, or from the exercise of any of the powers of the board, shall be made upon and brought against the corporation and not upon or against the City or the Region.

Insurance

12. The corporation shall carry adequate insurance on property used by the corporation in the operation of the hospitals including public liability and indemnity insurance in connection with the general management, operation and maintenance of the hospitals.

Repeal

13. *The Hamilton Civic Hospitals Act, 1978*, being chapter 121, is repealed.

14. This Act comes into force on the day it receives Royal Assent. Commence-
ment

15. The short title of this Act is the *Hamilton Civic Hospitals Act, 1988*. Short title

CHAPTER Pr19

**An Act respecting
Kingsway General Insurance Company**

Assented to May 24th, 1988

Whereas Kingsway General Insurance Company, herein called the Company, hereby represents that it was incorporated under the laws of the Province of Ontario by letters patent dated the 19th day of August, 1986; that the said letters patent were amended by supplementary letters patent dated the 18th day of November, 1986; that the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subject to authorization by special resolution under the *Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada or such other Minister of Canada responsible therefor for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing *inter alia* that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation.

Application
to Minister
of Consumer
and
Corporate
Affairs
authorized
R.S.O. 1980,
c. 95

2. Upon the issue of the letters patent referred to in section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of such letters patent together with a copy of such letters patent certified by the Department of Consumer and Corporate Affairs and, on and after the date of the filing of such notice, the *Corporations Act* shall cease to apply to the Company.

Items to be
filed

R.S.O. 1980,
c. 95

3. The Minister of Consumer and Commercial Relations may, on receipt of the notice and certified copy of the letters

Minister's
certificate

patent referred to in section 2, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Kingsway General Insurance Company Act, 1988*.

CHAPTER Pr20

An Act respecting the Ontario Municipal Management Institute

Assented to May 24th, 1988

Whereas the Ontario Municipal Management Development Board hereby represents that it was incorporated under the laws of Ontario by letters patent dated the 24th day of May, 1979; that the Ontario Municipal Management Development Board desires to be continued as a corporation under the name of the Ontario Municipal Management Institute, herein called the Institute, for the purpose of carrying out the objects of the Institute and of the government and discipline of its members; and whereas the Institute desires to grant to its members the exclusive right to use certain designations and abbreviations thereof as set out in section 7; and whereas the Institute hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“board” means the board of directors of the Institute;

“registered” means registered as a member under this Act and
“registration” has a corresponding meaning;

“registrar” means the registrar of the Institute.

2.—(1) The corporation known as the Ontario Municipal Management Development Board is hereby continued as a corporation without share capital under the name of the Ontario Municipal Management Institute and the persons registered as members of the Institute on the day this Act comes into force and such other persons as hereafter become members of the Institute constitute the corporation.

Board
continued

(2) The members of the board of directors and the officers of the Institute in office immediately before the coming into

Continuation
of directors,
officers

force of this Act are hereby continued in office until their successors are elected or appointed in accordance with this Act and the by-laws of the Institute.

Letters
patent
revoked

(3) The letters patent of the Institute are revoked, but the revocation does not affect the rights or obligations of the Institute or any by-law, resolution or appointment of the Institute except to the extent that the by-law, resolution or appointment is inconsistent with this Act.

Special Act
incorporated

(4) The Institute shall be deemed to be a corporation incorporated by a special Act.

Objects

3. The objects of the Institute are,

- (a) to administer a professional development and recognition system for municipal management;
- (b) to organize and administer management training seminars;
- (c) to promote effective relationships with educational institutions to assure a basic understanding of local governments;
- (d) to prepare publications on municipal management topics;
- (e) to provide an information service concerning management policies in Ontario municipalities; and
- (f) to provide a data base on training, developmental and educational opportunities for those pursuing a career in municipal management.

Board of
directors

4.—(1) The affairs of the Institute shall be managed by a board of directors.

Composition

(2) The board shall consist of not fewer than ten or more than sixty members of the Institute, as the board may determine by by-law, elected from the membership of the Institute.

Past
president

(3) The immediate past president of the Institute shall be a member of the board.

Election of
board

(4) The manner of electing the members of the board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes and the tenure

of office of members of the board shall be set out in the by-laws of the Institute.

(5) The directors shall serve without remuneration and no director shall directly or indirectly receive any profit from his or her position but the directors may be paid reasonable expenses incurred by them in the performance of their duties.

No remuneration

(6) At any meeting of the board, a majority of the members of the board constitutes a quorum.

Quorum

(7) The board shall appoint from its number a president and vice-president and shall appoint a secretary who need not be a member of the board.

President, etc.

(8) The board may appoint such other persons as are necessary to perform the work of the Institute.

Other appointments

(9) In the case of the death, resignation or incapacity of any member of the board, the office shall be declared vacant by the board and the board shall fill the vacancy in such manner as may be provided by the by-laws of the Institute for the balance of the term.

Vacancies

(10) The board shall appoint a registrar, who need not be a member of the board, and the registrar shall perform the functions assigned to the registrar by this Act and such other duties as may be assigned to the registrar by the board.

Registrar

5.—(1) The board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Institute and, without restricting the generality of the foregoing, the board may pass by-laws,

By-laws

- (a) establishing the qualifications for and conditions of membership and certification;
- (b) establishing a curriculum and courses of study to be pursued by members and the subjects upon which members of the Institute shall be examined and for granting certificates to candidates who have successfully passed the examinations;
- (c) prescribing rules of behaviour for certified municipal managers and providing for the suspension, expulsion or other penalty for a contravention of the rules of behaviour;
- (d) prescribing fees payable to the Institute;

- (e) governing the calling, holding and conducting of meetings of the board and of the members of the Institute;
- (f) authorizing the spending of funds for any purpose that may tend to advance the knowledge and education of persons in local governments in the Province of Ontario or improve standards of practice in municipal administration, or support and encourage public information and interest in the past and present role of municipal managers in society;
- (g) providing for the custody and use of the seal of the Institute;
- (h) providing for the manner in which records and the making of reports are maintained and kept for and by the Institute; and
- (i) appointing committees and delegating to a committee the power and authority to act for the board with respect to any matter or class of matters where a majority of the members of the committee are members of the board.

Confirmation
of by-law

(2) No by-law passed by the board comes into force until it is confirmed or amended and confirmed by at least two-thirds of the votes cast at an annual meeting or at a special meeting called for the purpose of considering the by-law.

Borrowing
by-laws
R.S.O. 1980,
c. 95

(3) The borrowing power of the Institute under section 59 of the *Corporations Act* is limited to borrowing money for current operating expenses unless it borrows on the security of real or personal property.

Membership

6.—(1) The Institute shall grant a membership in the Institute to any person who applies therefor in accordance with the by-laws.

Register

(2) The registrar shall keep a register in which shall be entered the names of all members of the Institute and their status of certification and only those persons so registered are members entitled to the privileges of membership in the Institute.

Inspection of
register

(3) The register shall be open to examination by the public at the head office of the Institute during normal office hours.

Appeals

(4) Any person who has been refused membership or certification or who has been subject to a disciplinary sanction

under the by-laws of the Institute may appeal to the Divisional Court, in accordance with the rules of the Court, from the refusal or from the sanction.

(5) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of the fee therefor, the registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from.

Certified
copy of
record

7.—(1) Every member of the Institute who has satisfied the criteria as set out in the by-laws of the Institute may use the designation “Certified Municipal Manager”, “Certified Municipal Manager I”, “Certified Municipal Manager II” or “Certified Municipal Manager III”, as the case may be, and may use after the member’s name the initials “CMM”, “CMM I”, “CMM II” or “CMM III”, respectively.

Designations

(2) Any person in Ontario who, not being entitled to do so under subsection (1), takes or uses any designation or any set of initials referred to in subsection (1) either alone or in combination with any other word, name, title, initial or description, or implies, suggests or holds out that he or she is a certified municipal manager is guilty of an offence.

Offence

(3) In every case where certification is an issue, the production of a copy of the register, certified under the hand of the registrar, is sufficient evidence of the certification status of all persons who are registered in lieu of the production of the original register and any certified copy purporting to be signed by a person in that person’s capacity as registrar is proof, in the absence of evidence to the contrary, that such a person is the registrar without any proof of that person’s signature or that the person is the registrar.

Evidence

(4) The absence of the name of any person from a copy of the register produced under subsection (3) is proof, in the absence of evidence to the contrary, that the person is not certified.

Idem

8. This Act does not affect or interfere with the right of any person who is not a member of the Institute to practice as a municipal officer or employee in the Province of Ontario.

Right to
practice
unaffected

9.—(1) The Institute shall be carried on without the purpose of gain for its members and any profits or other accretions to the Institute shall be used in promoting its objects.

Not to be
carried on
for gain

(2) Any surplus derived from carrying on the affairs and business of the Institute shall be devoted and applied solely in

Surplus

promoting and carrying out its objects and purposes and shall not be divided among its members.

Dissolution

(3) Upon the dissolution of the Institute, all its remaining property, after the payment of all debts and liabilities, shall be distributed to one or more recognized charitable organizations which carry on their work solely in Ontario.

Filing of
annual
financial
statement

(4) The Institute shall file with the Public Trustee an annual audited financial statement.

Commence-
ment

10. This Act comes into force on the day it receives Royal Assent.

Short title

11. The short title of this Act is the *Ontario Municipal Management Institute Act, 1988*.

CHAPTER Pr21

**An Act to revive
Mid-Continent Bond Corporation, Limited**

Assented to May 24th, 1988

Whereas Peter Kimber McWilliams hereby represents that
Mid-Continent Bond Corporation, Limited, herein called the
Corporation, was incorporated by letters patent dated the 7th
day of December, 1928; that by order-in-council dated the
13th day of December, 1951 and made under the authority of
subsection 29 (2) of *The Companies Act*, being chapter 59 of
the Revised Statutes of Ontario, 1950, the letters patent of the
Corporation were cancelled for default in filing annual returns
and the Corporation was dissolved on the 3rd day of January,
1952; that the applicant is the sole executor of the estate of
Marjorie Crawford McWilliams, deceased, a director and officer
of the Corporation; that Marjorie Crawford McWilliams was
the sole executrix and sole beneficiary of her father, William
Crawford Goffatt, deceased, who was also a director and the
sole shareholder of the Corporation at the time of dissolution;
that the Corporation at the time of dissolution owned certain
interests in real property; that the applicant wishes to revive
the Corporation so that it may deal with the real property;
and whereas the applicant hereby applies for special legislation
reviving the Corporation; and whereas it is expedient to grant
the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. Mid-Continent Bond Corporation, Limited is hereby
revived and is, subject to any rights acquired by any person
after its dissolution, hereby restored to its legal position,
including all its property, rights, privileges and franchises and
subject to all its liabilities, contracts, disabilities and debts as
of the date of its dissolution in the same manner and to the
same extent as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Mid-Continent Bond Corporation, Limited Act, 1988*.

CHAPTER Pr22

**An Act respecting The United Church
of Canada and The Canada Conference
The Evangelical United Brethren Church**

Assented to May 24th, 1988

Whereas The United Church of Canada was incorporated by *The United Church of Canada Act* (Canada) and was given certain powers respecting property and other rights by *The United Church of Canada Act*, being chapter 125 of the Statutes of Ontario, 1925; and whereas Canada Conference Evangelical Church was incorporated under *An Act to incorporate the Canada Conference Evangelical Church*, being chapter 112 of the Statutes of Ontario, 1930; and whereas by the Statutes of Ontario, 1950, chapter 93, the name of Canada Conference Evangelical Church was changed to The Canada Conference The Evangelical United Brethren Church; and whereas The Canada Conference The Evangelical United Brethren Church became part of The United Church of Canada on the 1st day of January, 1968 pursuant to the ecclesiastical laws of The Evangelical United Brethren Church as declared in the Episcopal Declaration of the Board of Bishops dated the 18th day of July, 1967; and whereas, by action of the 22nd General Council of The United Church of Canada in September, 1966, the plan of union between The Canada Conference The Evangelical United Brethren Church and The United Church of Canada was approved and the Executive of General Council was authorized to carry out the plan in co-operation with The Canada Conference The Evangelical United Brethren Church; and whereas The United Church of Canada and The Canada Conference The Evangelical United Brethren Church hereby apply for special legislation to transfer all present and future assets of The Canada Conference The Evangelical United Brethren Church to The United Church of Canada and to dissolve The Canada Conference The Evangelical United Brethren Church; and whereas it is expedient to grant the application;

Preamble
S.C. 1924.
c. 100

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Dissolution

1. The Canada Conference The Evangelical United Brethren Church is dissolved.

Transfer of property

2. All real and personal property within the Province of Ontario belonging to or held in trust for or for the use of The Canada Conference The Evangelical United Brethren Church or any congregation, corporation, board, committee or other body, whether incorporated or unincorporated, created by or under the government or control of, or in connection with, The Canada Conference The Evangelical United Brethren Church is vested in The United Church of Canada.

Transfer of liabilities

3. All liabilities and contracts of The Canada Conference The Evangelical United Brethren Church are liabilities and contracts of The United Church of Canada.

Gifts, etc.

4. Any gift, devise or bequest heretofore or hereafter made to or intended to be made to The Canada Conference The Evangelical United Brethren Church, or to any congregation, corporation, board, committee or other body, whether incorporated or unincorporated, functioning under the government or control of, or in connection with, The Canada Conference The Evangelical United Brethren Church or Canada Conference Evangelical Church shall be paid, transferred and vested in The United Church of Canada and shall be the property of The United Church of Canada.

Private instruments

5. A reference to The Canada Conference The Evangelical United Brethren Church in any instrument shall be deemed to be a reference to The United Church of Canada.

Repeal

6. *An Act to incorporate the Canada Conference Evangelical Church*, being chapter 112 of the Statutes of Ontario, 1930, and *The Canada Conference The Evangelical United Brethren Church Act, 1950*, being chapter 93, are repealed.

Commencement

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is the *United Church of Canada Act, 1988*.

CHAPTER Pr23

**An Act respecting
The General Hospital of Port Arthur**

Assented to May 24th, 1988

Whereas The General Hospital of Port Arthur hereby represents that it is recited in the earliest records of the hospital corporation that The Railway, Marine and General Hospital of Port Arthur was incorporated under *An Act respecting Benevolent, Provident and other Societies*, being chapter 172 of the Revised Statutes of Ontario, 1887, on the 18th day of February, 1907; that one of the requirements for incorporation under such Act is the filing of a declaration either with the Provincial Registrar or the Clerk of the Peace in the county where the hospital corporation is to hold its annual and general meetings; that no copy of the declaration can be found nor any record of the filing located; that the name of the hospital corporation was changed to The General Hospital of Port Arthur by order of the Provincial Secretary on the 19th day of February, 1918; that it is desirable to confirm the corporate existence of The General Hospital of Port Arthur as of the 18th day of February, 1907; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, “hospital corporation” means The General Hospital of Port Arthur.

Definition

2. The hospital corporation shall be deemed to have been validly incorporated without share capital under the laws of the Province of Ontario on the 18th day of February, 1907.

Corporate
status
confirmed

3. The objects of the hospital corporation are and shall be deemed to have always been,

Objects
confirmed

(a) to operate, maintain and manage a hospital; and

R.S.O. 1980,
c. 410

- (b) subject to the *Public Hospitals Act*, to manage all the real and personal property used for the purposes of the hospital corporation.

Corporate
acts
confirmed

4. No act done by the hospital corporation shall be set aside or invalidated on the grounds that its incorporation cannot be proven and, in particular, the following are hereby ratified and confirmed, namely,

- (a) the constitution of the board of directors of the hospital corporation;
- (b) the by-laws and resolutions of the hospital corporation; and
- (c) the location of the head office of the hospital corporation at the City of Thunder Bay.

Property

5. The hospital corporation may receive by grant, gift, devise or otherwise, any real or personal property for the purposes of the hospital corporation.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. The short title of this Act is the *General Hospital of Port Arthur Act, 1988*.

CHAPTER Pr24

An Act respecting the City of North York*Assented to May 24th, 1988*

Whereas The Corporation of the City of North York, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section,

Definitions

“business premises” means any building or part thereof used or intended for use for commercial or industrial purposes;

“multiple residential premises” means any building containing more than one dwelling unit.

(2) The council of the Corporation may pass by-laws,

By-laws
respecting
garbage
removal,
grass and
weed cutting

(a) requiring the owners of multiple residential premises and the owners or occupants of business premises in the municipality to clear away and remove garbage or other debris from the public highways abutting their lands except the portions thereof used for motor vehicle traffic;

(b) requiring the owners or occupants of private property in the municipality or in any defined area thereof to cut the grass and weeds on their land and to remove the cuttings whenever the growth of grass or weeds exceeds twenty centimetres in height or such greater height as the by-law may provide; and

(c) despite clause (b), providing for the cutting of grass and weeds and for the removal thereof at the expense of the municipality on private property owned or occupied by any class or classes of persons.

Written
notice

(3) No step shall be taken to enforce a by-law passed under subsection (2) until the owner or occupant of the land has been given a written notice requiring compliance with the by-law within the time specified in the notice but no sooner than seventy-two hours after the giving of the notice.

Service of
notice

(4) A notice under subsection (3) may be given by personal service upon the person to whom it is directed or by sending it by certified mail to such person.

Idem

(5) A notice under subsection (3) sent by certified mail shall be sent to the last known address of the person to whom it is directed and it shall be deemed to have been given on the day it is delivered to that address.

Limitations

(6) Nothing in this section affects any right or duty of the Corporation with respect to any highway right of way.

By-laws
respecting
overnight
parking

2.—(1) The council of the Corporation may pass by-laws for prohibiting the parking of motor vehicles on all public highways within the jurisdiction of the Corporation at any time between the hours of 2 o'clock in the forenoon and 6 o'clock in the forenoon from the 1st day of December of each year up to and including the 31st day of March of the next year.

Parking signs

(2) A by-law passed under subsection (1) shall provide for the erection and maintenance of such signs advising of the prohibition as the council considers appropriate.

Charges for
heavy loads
on sewer,
water systems
R.S.O. 1980,
c. 302

3. Despite paragraph 2 of subsection 215 (6) of the *Municipal Act*, the council may by by-law provide that the exemption under the said paragraph 2 shall be limited to the extent that the load to be placed upon the sewer or water system by a building to be erected or enlarged does not exceed the load which the sewer or water system installed under subdivision agreement was designed to accept from the land upon which the building is located.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of North York Act, 1988*.

CHAPTER Pr25

An Act to revive Machin Mines Limited*Assented to May 24th, 1988*

Whereas John P. Rapski hereby represents that Machin Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 31st day of July, 1961; that the Minister of Consumer and Commercial Relations by order dated the 6th day of March, 1979 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act, 1972*, being chapter 143, and declared that the Corporation be dissolved on the 6th day of March, 1979; that the default occurred by reason of inadvertence; that the applicant wishes to revive the Corporation in order to carry on active business; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Machin Mines Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Machin Mines Limited Act, 1988*.

Short title

CHAPTER Pr26

An Act respecting The University of Western Ontario

Assented to May 24th, 1988

Whereas The University of Western Ontario hereby applies for special legislation to amend the *University of Western Ontario Act, 1982*; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 17 of the *University of Western Ontario Act, 1982*, being chapter 92, is repealed and the following substituted therefor:

17.—(1) A member of the Board who has an interest, directly or indirectly, in any contract, transaction, proposed contract or proposed transaction under consideration by the Board or a committee created by it shall,

Conflict of interest

- (a) declare the nature and extent of the interest as soon as possible and no later than the meeting at which the matter is to be considered;
- (b) refrain from taking part in any discussion or vote in relation to the matter; and
- (c) withdraw from the meeting when the matter is being discussed if requested to do so by a majority of the members present at the meeting.

(2) A member of the Board who is an employee of the University or whose spouse is an employee of the University may take part in discussions and vote on all matters relating generally to the financial operation of the University, other than matters referred to in subsection (3) or matters in which the member's interest or the interest of the member's spouse is not the same or substantially the same as that of other employees of the University.

Participation by members

Restriction
on partici-
pation

(3) No member of the Board, other than the President or a Vice-President appointed under clause 9 (1) (i), who is an employee or whose spouse is an employee of the University may take part in discussions or vote on matters related to the remuneration or benefits, terms of employment, rights or privileges available to employees of the University that are directly related to compensation or that are negotiated in a collective fashion for a class or group of employees of the University.

Conflict of
interest
found by
Board

(4) Where the Board or a committee of the Board to which the Board has delegated authority is of the opinion that a conflict of interest exists that has not been declared, the Board or committee may declare, by a resolution carried by two-thirds of the members present at the meeting, that a conflict of interest exists and a member of the Board thus found to be in conflict shall,

- (a) refrain from taking part in any discussion or vote related to the matter; and
- (b) withdraw from the meeting when the matter is being discussed if requested to do so by a majority of the members present at the meeting.

2. Section 24 of the said Act is repealed and the following substituted therefor:

SENATE

Senate, how
composed

24.—(1) There shall be a Senate of the University composed of,

- (a) the following *ex officio* members,
 - (i) the Chancellor,
 - (ii) the Vice-Chancellor,
 - (iii) such Vice-Presidents as the Senate may determine,
 - (iv) the Deans of the academic units given Faculty representation under clause (b),
 - (v) the Director of Libraries,
 - (vi) the Registrar, and

- (vii) the Secretary of the Senate who shall be a non-voting member;
- (b) members of the Faculty, elected in the following numbers,
- | | |
|---|-----------------|
| (i) Faculty of Graduate Studies | —eight members, |
| (ii) Faculty of Arts | —four members, |
| (iii) Faculty of Medicine | —four members, |
| (iv) Faculty of Science | —four members, |
| (v) Faculty of Social Science | —four members, |
| (vi) Faculty of Dentistry | —one member, |
| (vii) Faculty of Education | —one member, |
| (viii) Faculty of Engineering Science | —one member, |
| (ix) Faculty of Law | —one member, |
| (x) Faculty of Music | —one member, |
| (xi) Faculty of Nursing | —one member, |
| (xii) Faculty of Physical Education | —one member, |
| (xiii) School of Business Administration | —one member, |
| (xiv) School of Library and Information Science | —one member, |
| (xv) Faculty of Part-Time and Continuing Education | —one member, |
| (xvi) Graduate School of Journalism | —one member, |
| (xvii) Applied Health Sciences | —one member, |
| (xviii) Subject to the approval of two-thirds of the members of the Senate, any other academic unit that may be established hereafter | —one member; |
- (c) two members of the Board appointed by the Board from among its members appointed or elected under clauses 9 (1) (b), (c), (d) and (h);
- (d) two members from each affiliated college, one of whom shall be the academic head of that college and the other a person elected as provided in section 25, who shall have voice in all matters but shall not vote on resolutions, recommendations or requests submitted to the Board where such matters do not directly involve the affiliated colleges as shall be determined by the Senate;
- (e) fifteen students of whom,

- (i) twelve shall be undergraduate students of the University and its affiliated colleges and be elected by such undergraduate students, and
- (ii) three shall be graduate students elected by the graduate students;
- (f) two members of the full-time administrative staff elected thereby; and
- (g) five persons from the general community, one of whom shall be active in or associated with the field of secondary school education, consisting of,
 - (i) the President of the Alumni Association of the University or a person designated by such President, and two members of the Association appointed by the Association, and
 - (ii) two persons appointed by the Senate.

Regulation to
vary number
of members

(2) Upon an application by the Senate approved by at least two-thirds of the members of Senate, the Lieutenant Governor in Council may make regulations varying the number of members set out in clauses (1) (b), (d), (e) and (f).

Officers

(3) The Vice-Chancellor shall be the chairman of the Senate, and a vice-chairman shall be elected from among its members in such manner as the Senate may establish.

Alternates

(4) Where the Senate grants leave of absence to any member, the Senate may provide, in such manner as it determines, for an alternate member who shall have all the powers of a member of the Senate.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *University of Western Ontario Act, 1988*.

CHAPTER Pr27

**An Act to revive
Prow Yellowknife Gold Mines Ltd.**

Assented to May 24th, 1988

Whereas Henri Galle hereby represents that Prow Yellowknife Gold Mines Ltd., herein called the Corporation, was incorporated by letters patent dated the 8th day of March, 1945; that the Minister of Consumer and Commercial Relations by order dated the 1st day of March, 1982 and made under the authority of subsection 242 (3) of the *Business Corporations Act*, cancelled the certificate of incorporation of the Corporation for default in complying with the *Corporations Tax Act*, and declared that the Corporation be dissolved on the 1st day of March, 1982; that the applicant represents the estate of George F. Ross a former director of the Corporation; that the default occurred by reason of inadvertence; that the applicant wishes to revive the Corporation in order to carry on active business; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 54

R.S.O. 1980,
c. 97

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Prow Yellowknife Gold Mines Ltd. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Prow Yellowknife Gold Mines Ltd. Act, 1988*.

Short title

CHAPTER Pr28

An Act respecting the Town of Oakville*Assented to May 24th, 1988*

Whereas The Corporation of the Town of Oakville, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“municipal taxes” means taxes imposed for municipal and school purposes in respect of real property assessed as residential or farm property and includes local improvement or other special rates;

“owner” means a person assessed as the owner of residential real property and includes an owner within the meaning of the *Condominium Act*;

R.S.O. 1980,
c. 84

“personal residence” means the residence ordinarily inhabited by the owner;

“spouse” means a person of the opposite sex,

- (a) to whom the person is married, or
- (b) with whom the person is living outside marriage in a conjugal relationship, if the two persons,
 - (i) have cohabited for at least one year,
 - (ii) are together the parents of a child, or
 - (iii) have together entered into a cohabitation agreement under section 53 of the *Family Law Act*, 1986.

1986, c. 4

Tax credit
and refund
authorized

2. The council of the Corporation may pass by-laws authorizing and directing the treasurer of the Corporation to allow owners of residential real property in the Town of Oakville a uniform credit or refund in an amount of \$150 per year or such greater amount as the by-law may provide against municipal taxes, including penalty and interest, for the years 1988, 1989, 1990, 1991 and 1992, in respect of the residential real property,

R.S.O. 1980.
cc. 151, 188

R.S.C. 1970,
c. O-6

- (a) if the owner or the spouse of the owner, or both, is or are receiving benefits under the *Family Benefits Act* or assistance under the *General Welfare Assistance Act*, or receiving a monthly guaranteed income supplement under Part II of the *Old Age Security Act* (Canada);
- (b) if the owner or the spouse of the owner, or both, occupies or occupy the property in respect of which municipal taxes are imposed as his, her or their personal residence; and
- (c) if the owner or the spouse of the owner, or both, has or have been assessed as the owner of residential real property in the municipality for a period of not less than one year immediately preceding the date of application for the credit.

Conditions

3. The following conditions apply to a credit or refund authorized under section 2:

- 1. No credit or refund shall be allowed to an owner in respect of more residential real property than one dwelling unit in any year.
- 2. No credit or refund shall be allowed unless an application for it has been made not later than three years after the end of the year in which the municipal taxes in respect of which the credit or refund is claimed became due and payable.
- 3. A credit shall be allowed for municipal taxes imposed on any real property only on payment of the remaining portion of such municipal taxes.
- 4. No refund shall be allowed for municipal taxes imposed on any real property in any year unless such municipal taxes have been paid in full in that year.

5. Where the municipal taxes payable by an owner in the year, before any credit or refund, are less than an amount equal to the sum of \$150 plus the amount of the maximum grant that may be paid to the owner or his or her spouse under section 2 of the *Ontario Pensioners Property Tax Assistance Act*, the credit or refund shall be the amount by which such municipal taxes exceed the amount of such maximum grant.

R.S.O. 1980,
c. 352

4. Despite paragraph 4 of section 3, where the amount of an allowable credit of municipal taxes in any year is greater than the amount of the municipal taxes unpaid in that year, the difference between such amounts may be refunded and the unpaid portion may be allowed as a credit.

Exception

5. A by-law passed under section 2 may,

Additional
powers

- (a) provide for the continuation of the credits or refunds to the surviving spouse of a deceased person to whom a credit or refund was allowed, if the spouse otherwise qualifies for the credit or refund except for the qualification set out in clause 2 (c); and
- (b) prescribe such regulations with respect to the administration of the by-law, not inconsistent with this Act, as the council of the Corporation may consider proper.

6. The amount of any credit or refund allowed from time to time under a by-law passed under section 2 shall, on registration in the appropriate land registry office of a notice of lien, be a lien in favour of the Corporation on the real property in respect of which the credit or refund has been allowed.

Lien

7. The amount of the lien shall become due and be paid to the Corporation upon any change in ownership of the real property unless the change in ownership occurred,

When lien
due and
payable

- (a) as a result of the death of the owner to whom a credit or refund was allowed and the new owner is the joint tenant, tenant in common or heir of the deceased owner and is a person otherwise qualified for a credit or refund under a by-law passed under section 2; or
- (b) by way of a mortgage or charge other than a sale or foreclosure under the mortgage or charge.

Notice of
lien and
discharge of
lien

8. Where a by-law passed under section 2 is in force, forthwith after a credit or refund has been allowed under the by-law, a notice of lien signed by the treasurer of the Corporation stating that a credit or refund has been allowed together with a description of the real property sufficient for registration shall be registered in the proper land registry office and, upon payment in full to the treasurer of the Corporation of the amount of all outstanding credits and refunds allowed in respect of the property, a certificate of the treasurer of the Corporation showing the payment shall be similarly registered and thereupon the lien in respect of the real property is discharged.

Commence-
ment

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. The short title of this Act is the *Town of Oakville Act, 1988*.

CHAPTER Pr29

An Act respecting the City of Toronto

Assented to May 24th, 1988

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding subsection 10 (6) of *An Act respecting The City of Toronto*, being chapter 86 of the Statutes of Ontario, 1903, the Corporation may lease to any person for parking purposes, on such terms and conditions as may be agreed upon, any part of the lands in the Ordnance Reserve Plan bounded on the north by the Frederick C. Gardiner Expressway lands, on the south by Fleet Street, on the west by Strachan Avenue and on the east by the west limit of Garrison Road, until such time as the lands are required by the Commissioner of Parks and Recreation of the Corporation for parks purposes.

Power of council to lease land for parking purposes

2.—(1) In this section, “social housing program” means a program or project,

Definition

- (a) that, in the opinion of the council of the Corporation, is designed to provide housing accommodation primarily for persons with low to moderate incomes, at a charge not exceeding the greater of,
 - (i) the amount required to finance, operate and maintain such accommodation without profit, or
 - (ii) the amount required to be charged for such accommodation under the terms of an agreement respecting the financing of the accommodation where one party is the provincial or federal government or an agency thereof,

and such accommodation is entirely owned by or leased to, and operated by one or more of,

1986, c. 63

(iii) a "non-profit co-operative housing corporation" as defined in the *Residential Rent Regulation Act, 1986*, or

R.S.C. 1970,
c. N-10

(iv) a "non-profit corporation" as defined in the *National Housing Act (Canada)*; or

(b) that provides housing accommodation that is owned and operated by or on behalf of the City of Toronto Non-Profit Housing Corporation.

By-laws
respecting
densities
1983, c. 1

(2) In any by-law passed under section 34 of the *Planning Act, 1983*, the council of the Corporation may, in addition to prescribing densities under the authority of that section, prescribe one or more residential densities of development applicable to any land in respect of which the owner of the land and the operator of the housing accommodation, if different from the owner, agrees with the Corporation to provide all or such proportion as specified in the by-law, of the housing accommodation located or to be located on such land, for the purpose of a social housing program.

Requiring
agreements

(3) The Corporation may require an owner, and operator if different from the owner, to enter into one or more agreements respecting the provision of social housing accommodation referred to in subsection (2).

Registration
of
agreements

R.S.O. 1980,
cc. 445, 230

(4) Any agreement entered into under subsection (3) may be registered against the land to which it applies and the Corporation is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Validity of
agreements

(5) No agreement made under subsection (3) shall be declared to be invalid by reason only of the failure to specify particulars of a social housing program.

Consent of
City required
for
conveyance,
etc.

(6) Where an agreement has been registered under subsection (4), no person shall, during the operation of the agreement, convey any unit of housing accommodation which is part of a social housing program, by way of deed or transfer, or grant, assign or exercise a power of appointment with respect to the unit, or mortgage or charge the unit, or enter into an agreement of sale and purchase respecting the unit, or enter into any agreement which has the effect of granting the use of or right in the unit directly or by entitlement to renewal

for a period of twenty-one years or more without the written consent of the Corporation.

(7) Where an agreement has been registered under subsection (4), an agreement, conveyance, mortgage or charge made, or a power of appointment granted, assigned or exercised in contravention of subsection (6), does not create or convey any interest in the unit.

Conveyance,
etc., contrary
to subs. (6)

(8) Where notice of an agreement under subsection (4) has been registered against land to which the *Land Titles Act* applies, the Corporation shall apply to the Land Registrar to have an entry made on the register that,

Where
R.S.O. 1980,
c. 230 applies
R.S.O. 1980,
c. 230

- (a) no transfer shall be made or charge created;
- (b) no notice of agreement of sale and purchase shall be registered; and
- (c) no lease or notice of lease having the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more shall be registered,

unless the consent of the Corporation is given to such transfer, charge, notice of agreement, lease or notice of lease and subsection 117 (4) of the *Land Titles Act* applies.

R.S.O. 1980,
c. 230

(9) Where a written consent under subsection (6) has been given by the Corporation, the clerk of the Corporation shall provide a certificate, in registrable form, to the person obtaining the consent stating that the written consent of the Corporation has been obtained and the certificate of the clerk is conclusive evidence that the consent was given and that the provisions of this section leading to the consent have been complied with and, after the certificate has been given, no action may be maintained to question the validity of the consent and the certificate may be registered in the proper land registry office.

Certificate of
clerk

(10) No by-law passed by the council that implements subsection (2) shall be invalidated by reason only that the effect thereof is to restrict occupancy of housing accommodation to such persons or class or classes of persons as are set out in the by-law.

Validity of
by-laws
restricting
occupancy

(11) A by-law that implements subsection (2) may provide that any person entering into an agreement under subsection (3) who fails to provide the proportion or number of units for such period of time as may be specified in the agreement for

Offence

the purposes of a social housing program is guilty of an offence and upon conviction is liable to a fine of not more than \$10,000.

Damages

(12) In addition to the penalty set out in subsection (11), every owner who contravenes any of the provisions of an agreement entered into under subsection (3) is liable for damages payable to the Corporation in an amount equal to the difference between the charge that should have been made for the housing accommodation under the agreement and the actual charge made for such housing accommodation for the period of time that the owner or operator has contravened the agreement and such damages may be recovered as a debt due to the Corporation.

Contents of agreement

(13) Subsections (6), (7) and (8) do not apply to an agreement unless those subsections are set out in the agreement.

Exemptions or reductions
1983, c. 1

(14) In any by-law passed under section 34 of the *Planning Act, 1983* that implements subsection (2), the council of the Corporation may give exemptions or reductions, or both, from the zoning provisions and standards otherwise applicable to similar forms of housing accommodation which are not part of a social housing program.

Council not required to pass by-law
1983, c. 1

(15) The council of the Corporation shall not be required to pass any by-law under subsection (2) notwithstanding subsection 34 (11) of the *Planning Act, 1983* and notwithstanding that any proposed development complies with the definition of social housing program in subsection (1).

Agreements with owner

(16) The Corporation may enter into an agreement with the owner of land proposing a development on the land that is to contain housing accommodation for the purposes of a social housing program but for which no by-law under section 34 of the *Planning Act, 1983* prescribing the matters set out in subsection (2) is required and the agreement may contain provisions respecting the maintenance of the accommodation and such other terms as are agreed between the owner and the Corporation and subsections (4), (5), (6), (7), (8), (9) and (13) apply to the agreement.

Deeming provision

1975, c. 117

(17) A reference in any by-law passed by the council of the Corporation before this section comes into force to "assisted housing", "assisted housing program" or an "owner" of land who has entered an agreement under section 5 of *The City of Toronto Act, 1975 (No. 2)* shall be deemed to be references to "social housing", "social housing program" and an "owner of land and operator of the housing accommodation if different from the owner", respectively.

(18) Any by-law passed under subsection 5 (2) and any agreement entered into under subsection 5 (3) of *The City of Toronto Act, 1975 (No. 2)*, being chapter 117, before this Act comes into force, shall continue in full force and effect until repealed or revoked by the Corporation.

By-laws and
agreements
continued
1975, c. 117

3.—(1) In this section,

Definitions

“bus” means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons;

“City Clerk” means the clerk of the corporation;

“motor vehicle” includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power but does not include a street car, or other motor vehicles running only upon rails or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine;

“vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car.

(2) The council of the Corporation may pass by-laws,

By-laws
designating
zones for
parking buses

- (a) designating zones for the parking of buses on public highways under the jurisdiction of the Corporation;
- (b) regulating the use of such designated zones;
- (c) providing for the time or times during which such designated zones shall operate; and
- (d) prohibiting the parking, stopping or standing of any vehicle other than a bus within such designated zones.

4.—(1) The council of the Corporation may by by-law,

By-laws
respecting
permit
parking

- (a) allow the parking of motor vehicles, or any class or classes thereof, on designated public highways or parts of highways during specified hours pursuant to permits issued to the owners of the vehicles by an official named in the by-law;

- (b) charge such fee as the council may decide for the parking permit;
- (c) provide for cancelling the permits and refunding the unexpired portion of the fee;
- (d) prohibit the parking of motor vehicles on the designated public highways or parts of highways during the specified hours unless a permit has been issued under the by-law; and
- (e) allow persons to whom a permit has been issued under the by-law to park the motor vehicle in respect of which such permit has been issued on public highways or parts thereof designated under the by-law without using any automatic or other mechanical meter or device erected thereon.

Notice

(2) Before passing a by-law under this section, notice of the intention of the Corporation to pass the by-law shall be sent by prepaid mail to all persons rated on the last assessment roll returned to the City Clerk, as amended by decisions of the Assessment Review Board and by written information received by the City Clerk with respect to land abutting on the parts of the highway to be designated, at the addresses shown for such persons in the roll.

Determina-
tion by
City Clerk

(3) The City Clerk shall determine whether the information referred to in subsection (2) is appropriate for the purpose, and the determination thereof by the City Clerk and of the persons entitled to notice shall be evidenced by a certificate of the City Clerk and when so evidenced is final and conclusive.

Proviso

(4) Nothing in subsection (2) authorizes the City Clerk to act on the basis of information not contained in the assessment roll unless it is reasonable for the City Clerk to assume that such information is correct and the information shown on the assessment roll is incorrect, incomplete or out of date.

Petition

(5) Unless a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the City Clerk within one month next following the latest day of the mailing of any such notices, the Corporation may pass the by-law but, if a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the City Clerk within such time, the Corporation shall not pass the by-law.

(6) Where the council of the Corporation has proceeded under this section and has been prevented from passing the proposed by-law by reason of a petition objecting thereto having been presented under subsection (5), the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

Saving

(7) The net revenue derived from the operation of the permit parking shall be paid into a reserve fund and applied as set out in clause (f) of paragraph 55 of section 208 of the *Municipal Act*.

Reserve fund

R.S.O. 1980,
c. 302

(8) A by-law under this section may provide a procedure for the voluntary payment of penalties in cases where it is alleged that the parking provisions of the by-law have been contravened and the owner of the motor vehicle shall incur the penalties provided for any violation unless, at the time of the violation, the motor vehicle was in the possession of some person, other than the owner or his or her chauffeur, without the owner's consent.

Enforcement

5.—(1) In this section,

Definitions

“building” means a building as defined in the *Building Code Act*;

R.S.O. 1980,
c. 51

“hazard building” means a building to which two or more of the following criteria apply, namely,

- (a) an application to demolish has been made to the council of the Corporation under the *Rental Housing Protection Act, 1986* or section 33 of the *Planning Act, 1983*, unless permission has been granted under those Acts and demolition of the building has been commenced,
- (b) a building permit for work to be done has been issued under the *Building Code Act* and no work has been done under the building permit for a period of at least twelve consecutive months,
- (c) damage of any kind to any part of the building has occurred by reason of fire and the damage has not been repaired,
- (d) the building does not contain an operational heating system capable of maintaining an inside tempera-

1986, c. 26
1983, c. 1R.S.O. 1980,
c. 51

ture of 10 degrees Celsius throughout the building at an outside temperature of 18 degrees Celsius,

- (e) the supply of electrical power has been discontinued by the Toronto Electric Commissioners and not reinstated,
- (f) a building within which any piping for the flow of water has been ruptured and the piping has not been repaired, or
- (g) damage of any kind has been sustained to any part of a ceiling, floor or wall as a result of the conditions described in clauses (d), (e) or (f) and the damage has not been repaired;

“inspector” means a person designated by either the Fire Chief of the Corporation or the Commissioner of Buildings and Inspections of the Corporation as an inspector for the purpose of administering and enforcing a by-law enacted under this section;

“non-hazard building” means a building which is not a hazard building;

“owner” means the owner of a building and includes,

- (a) the person for the time being managing or receiving the rent of the building whether on his or her own account or as agent or trustee of any other person or who would so receive the rent if the building were let,
- (b) a vendor of the building under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement, or
- (c) the person for the time being receiving instalments of the purchase price of the building under an agreement of purchase and sale on his or her own account or as agent or trustee of any other person or who would so receive the instalments of the purchase price if the building were sold under an agreement for sale.

By-laws re
vacant
buildings

(2) The council of the Corporation may pass by-laws,

- (a) prescribing standards to protect against entry of a vacant hazard building or vacant non-hazard building or to detect and signal the presence of a person

within a vacant hazard building or vacant non-hazard building;

- (b) requiring an owner of a vacant hazard building to comply with the standards set out in the by-law; and
- (c) requiring an owner of a non-hazard building to comply with the standards set out in the by-law within 180 days of the building becoming vacant.

(3) If,

Non-compliance order

- (a) an owner of a vacant hazard building does not comply with the standards established under clause (2) (a); or
- (b) an owner of a non-hazard building does not comply with the standards established under clause (2) (a) within 180 days of the building becoming vacant,

an inspector may, by personal service or by registered mail in accordance with subsection (5), serve upon each person shown by the records of the land registry office to be either an owner or a mortgagee of the land upon which the building is located an order in writing directing compliance with the standards established under clause (2) (a) within such time as the inspector specifies in the order.

(4) Where an inspector serves an order under subsection (3), the order shall contain sufficient information to specify the non-compliance and the work required to comply with the standards established under clause (2) (a).

Contents of order

(5) Where an order prepared under subsection (3) is sent by registered mail to the last known address of the person upon whom it is to be served and a copy thereof is affixed to the building upon which the work is to be done, the order shall be deemed to be properly served upon the person to whom it is sent.

Service

(6) Where an order has been served under subsection (3) and the work specified in the order is not done by the time specified therein, the Corporation, in addition to any other remedies it may have, may do the work required to be done by the order.

When Corporation may do work

(7) The Corporation shall have a lien for any amount expended by or on behalf of the Corporation under subsection (6) and for a fee covering the reasonable administrative costs of the Corporation, together with interest thereon at a rate to

Lien

be fixed from time to time by the council, and the certificate of the Clerk of the Corporation as to the total amount shall be final and such total amount may be added to the collector's roll to be collected in one year or to the proper collector's rolls to be collected by instalments over a period of not more than five years and the total of each instalment may be collected in the same manner as real property taxes.

Entry

(8) An officer, employee or agent of the Corporation or an inspector may enter and have access to, through and over any non-hazard building or hazard building for the purposes of enforcing this section or a by-law made thereunder and includes,

- (a) the making of examinations, investigations, tests or inquiries; and
- (b) the doing of such work as is authorized under subsection (6).

Reasonable
times

(9) The authority under subsection (8) shall be exercised only at reasonable times.

Produce
identification

(10) A person mentioned in subsection (8) shall, upon request, produce proper identification, including evidence of that person's authority or appointment, before entering a hazard or non-hazard building.

Private
residences

(11) Subsection (8) is not authority to enter a private residence actually being used as a dwelling without the consent of the occupier.

Evidence

(12) A copy of any written or recorded material related to an examination, investigation, test or inquiry and purporting to be certified by a person mentioned in subsection (8) is admissible in evidence in any action, proceeding or prosecution as proof, in the absence of evidence to the contrary, of the original.

Application
for a warrant

(13) If an owner of a non-hazard building or a hazard building cannot be located or if the owner or an agent, officer or employee of the owner,

- (a) denies entry or access to, through or over the non-hazard building or hazard building to a person mentioned in subsection (8);
- (b) instructs a person mentioned in subsection (8) to leave the non-hazard building or hazard building;

- (c) obstructs a person mentioned in subsection (8) who is acting for a purpose mentioned in that subsection; or
- (d) refuses to comply with a request for the production of any thing the production of which is requested for the purpose of an examination, investigation, test or inquiry for a purpose mentioned in subsection (8),

a person mentioned in subsection (8) may apply to a justice of the peace for a warrant under subsection (16).

(14) No person shall hinder or obstruct a person mentioned in subsection (8) lawfully carrying out a power, duty or a direction under this section or a by-law enacted under this section.

Obstruction
prohibited

(15) A refusal of consent to enter a private residence is not and shall not be deemed to be hindering or obstructing within the meaning of subsection (14).

Refusal of
entry

(16) Where a justice of the peace is satisfied on evidence upon oath,

Warrant by
justice of the
peace

- (a) that there is reasonable and probable ground for believing that it is necessary to enter and have access to, through and over any non-hazard building or hazard building, for any purpose mentioned in subsection (8);
- (b) that the owner of a non-hazard building or hazard building cannot be located; or
- (c) that a person mentioned in subsection (8),
 - (i) has been denied entry to a non-hazard building or hazard building,
 - (ii) has been instructed to leave a non-hazard building or hazard building,
 - (iii) has been obstructed, or
 - (iv) has been refused production of any thing related to an examination, investigation, test or inquiry,

the justice of the peace may issue a warrant authorizing a person mentioned in subsection (8) to act as mentioned in clause

(a) in respect of the premises specified in the warrant, by force if necessary, together with such police officer or officers as that person may call upon for assistance.

Execution of
warrant

(17) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(18) A warrant issued under this section shall state the date on which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Ex parte
application

(19) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the owner of the non-hazard building or hazard building.

6.—(1) Section 3 of *The City of Toronto Act, 1964*, being chapter 145, is repealed.

(2) Section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, as amended by the Statutes of Ontario, 1966, chapter 187, section 5, 1971, chapter 130, section 12, 1972, chapter 199, section 4, 1973, chapter 213, section 9, 1976, chapter 105, section 2 and 1980, chapter 126, section 2, is repealed.

(3) Section 5 of *The City of Toronto Act, 1975 (No. 2)*, being chapter 117, as amended by the Statutes of Ontario, 1981, chapter 103, section 3, is repealed.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is the *City of Toronto Act, 1988 (No. 2)*.

CHAPTER Pr30

An Act respecting The Windsor Utilities Commission*Assented to May 24th, 1988*

Whereas The Windsor Utilities Commission, herein called the Commission, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Commission may provide insurance and hospital, medical, surgical, nursing or dental services and payment therefor for the spouses and children of deceased employees in the same manner as it may provide for the spouses and children of retired employees under paragraph 48 of section 208 of the *Municipal Act*.

Commission may provide insurance, medical care benefits

R.S.O. 1980, c. 302

(2) The Commission may contribute toward the cost to the spouses and children of deceased employees of the plan of insurance provided for under the *Health Insurance Act*.

Contributions to plan under R.S.O. 1980, c. 197

2. This Act comes into force on the day it receives Royal Assent.

Commencement

3. The short title of this Act is the *Windsor Utilities Commission Act, 1988*.

Short title

CHAPTER Pr31

An Act respecting the City of Hamilton

Assented to May 24th, 1988

Whereas The Corporation of the City of Hamilton considers it desirable to vary the composition of the board of directors of The Hamilton Entertainment and Convention Facilities Inc., established by the *City of Hamilton Act, 1985*, being chapter Pr23; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of the *City of Hamilton Act, 1985*, being chapter Pr23, is repealed and the following substituted therefor:

9.—(1) The corporation shall have a board of directors who shall manage, supervise and conduct the affairs of the corporation in accordance with the purposes and objects of the corporation.

Board of directors

(2) The board shall be composed of,

Composition

(a) the mayor of the City who shall be a director by virtue of office; and

(b) sixteen other members appointed by the council of whom,

(i) seven shall be members of council, and

(ii) nine shall not be members of council.

(3) The directors appointed under subclause (2) (b) (i) shall be appointed for a term of office not exceeding their term of office as members of council.

Term of office

(4) Directors appointed under subclause (2) (b) (ii) shall be appointed for a term of three years or such lesser number of

Idem

years so that one-third of the directors retires at the end of each year.

Removal

(5) A director may be removed at any time from office by a resolution passed by a majority of the council.

Vacancy

(6) Where the office of a director becomes vacant for any reason, the vacancy may be filled by council for the remainder of the unexpired term of the director whose office is vacant.

Reappointment

(7) A director may be reappointed by council upon expiration of his or her term or otherwise.

Remuneration

(8) Directors may serve without remuneration or with such remuneration as the council may determine.

Commencement

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *City of Hamilton Act, 1988*.

CHAPTER Pr32

An Act respecting the City of Toronto

Assented to June 29th, 1988

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section,

Definitions

“Benefit Fund Committee” means The Benefit Fund Committee which administers the Toronto Fire Department Superannuation and Benefit Fund;

“Pension Committee” means The Toronto Civic Employees’ Pension Committee which administers the Toronto Civic Employees’ Pension and Benefit Fund;

“Pension Fund” means the Toronto Civic Employees’ Pension and Benefit Fund;

“Superannuation Fund” means the Toronto Fire Department Superannuation and Benefit Fund.

(2) The council of the Corporation may pass by-laws to amend the Pension Fund or the Superannuation Fund to provide,

By-laws respecting pension plans

- (a) that any question or matter considered by the Benefit Fund Committee in administering the Superannuation Fund or by the Pension Committee in administering the Pension Fund shall be determined by a majority of the members of the committee holding office at that time but the council may require that any question or matter involving the investment of money accumulated to the credit of the fund shall be determined by such greater proportion of votes as may be prescribed by the by-law;

- (b) that the Benefit Fund Committee or the Pension Committee may delegate to any person or body, subject to any restrictions which may be imposed by the committee, the power to invest all or any part of the money accumulated to the credit of the fund and not required for current expenditure and for paying out of the fund any fees payable to such person or body;
- (c) that all or any part of the money and investments accumulated to the credit of either the Pension Fund or the Superannuation Fund may be held in the name of the fund or may be held for the account of the fund by another person or body designated for that purpose by the committee administering the fund;
- (d) that the Benefit Fund Committee may pay out of the Superannuation Fund any expenses incurred by the committee in providing for the custody and safekeeping of securities, certificates or other investments belonging to the fund or in obtaining investment performance measurements;
- (e) that the Pension Committee may pay out of the fund any expenses incurred by the committee in providing for the custody and safekeeping of securities, certificates or other investments belonging to the fund or in obtaining investment performance measurements.

Deeming
provision

(3) Any by-law passed under this section shall be deemed not to adversely affect the pensions, other benefits and privileges of members of any plan administered by the Benefit Fund Committee or the Pension Committee.

Notice
requirements
1987, c. 35

(4) Notwithstanding subsection (3), section 27 of the *Pension Benefits Act, 1987* applies to any amendment to a plan administered by the Benefit Fund Committee or the Pension Committee that would result in a reduction of pension benefits accruing subsequent to the effective date of the amendment or that would otherwise adversely affect the rights or obligations of a member or former member or any other person entitled to payment from the plan or fund.

Accrual of
credits by
disabled
employees or
former
employees

2. The council of the Corporation may pass by-laws, upon such terms and conditions as may be prescribed, to permit a person who receives or who, on or before the day this section comes into force, received payments under a disability plan of the Corporation to accrue service credits under a pension plan

of the Corporation for the whole or any part of the period during which the payments are or were received notwithstanding that the employment of the person with the Corporation has or was terminated for the whole or any part of the period.

3. Notwithstanding any other Act, the council may submit one or more questions under section 26 of the *Liquor Licence Act* in any or all of the areas described in the Schedule and the provisions of that Act apply in respect to any question or questions submitted under this section.

Submission
of questions
R.S.O. 1980,
c. 244

4. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

5. The short title of this Act is the *City of Toronto Act, 1988 (No. 3)*.

Short title

SCHEDULE

AREA 1

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of a portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, the boundaries of the said portion being described as follows:

COMMENCING at the intersection of the westerly City Limit of the City of Toronto and the centre line of the Canadian Pacific Railway lying north of Dundas Street West;

THENCE easterly along the centre line of the Canadian Pacific Railway to the centre line of Keele Street;

THENCE southerly along the centre line of Keele Street to the original northerly limit of Bloor Street, now Bloor Street West;

THENCE westerly along the said original northerly limit of Bloor Street West to where the same is intersected by the northerly production of the westerly limit of High Park as it existed in December, 1890;

THENCE southerly along the said northerly production of the westerly limit of High Park to the original southerly limit of Bloor Street West;

THENCE westerly along the said original southerly limit of Bloor Street West to the existing westerly limit of that portion of the City of Toronto lying between Bloor Street West and Annette Street, as defined in *The City of Toronto Act, 1941*;

THENCE northerly along the said existing westerly limit of the City of Toronto to its intersection with the westerly production of the northerly limit of Annette Street;

THENCE easterly along the said westerly production to and along the said northerly limit of Annette Street to the westerly limit of Elizabeth Street, now Runnymede Road;

THENCE northerly along the said westerly limit of Runnymede Road, formerly Elizabeth Street, being along the westerly limit of the former City of West Toronto to the point of commencement.

AREA 2

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of a portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, the boundaries of the said portion being described as follows:

COMMENCING at the intersection of the centre line of Keele Street and the centre line of the Canadian Pacific Railway lying north of Dundas Street West;

THENCE easterly along the centre line of the Canadian Pacific Railway to its intersection with the westerly limit of the lands of the Northern Division of the Grand Trunk Railway;

THENCE southerly along the westerly limit of the lands of the Northern Division of the Grand Trunk Railway to the southerly limit of the Canadian Pacific Railway;

THENCE westerly along the southerly limit of the Canadian Pacific Railway to the westerly limit of the lands of the Grand Trunk Railway;

THENCE southerly along the westerly limit of the lands of the Grand Trunk Railway to where the same is intersected by the easterly production of the southerly limit of Humberside Avenue;

THENCE westerly along the said easterly production to and along the said southerly limit of Humberside Avenue to the limit between Township lots 34 and 35 in Concession 2 From the Bay in the original Township of York;

THENCE southerly along the said limit between Township lots 34 and 35 to the original northerly limit of Bloor Street, now Bloor Street West;

THENCE westerly along the said original northerly limit of Bloor Street West to the centre line of Keele Street;

THENCE northerly along the centre line of Keele Street to the point of commencement.

AREA 3

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of a portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, the boundaries of the said portion being described as follows:

COMMENCING at the intersection of the westerly City Limit of the former City of West Toronto and the centre line of the Canadian Pacific Railway lying north of Dundas Street West;

THENCE in general northerly and easterly directions, being along westerly and northerly limits of the said former City of West Toronto to the westerly limit of the lands of the Northern Division of the Grand Trunk Railway;

THENCE southerly along the said westerly limit of the lands of the Northern Division of the Grand Trunk Railway to the centre line of the said Canadian Pacific Railway;

THENCE westerly along the said centre line of the Canadian Pacific Railway to the point of commencement.

CHAPTER Pr33

An Act respecting the Town of Markham

Assented to June 29th, 1988

Whereas The Corporation of the Town of Markham, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section,

Definitions

“employee” includes a person who,

- (a) performs any work for or supplies any services to an employer, or
- (b) receives any instructions or training in the activity, business, work, trade, occupation or profession of the employer;

“employer” includes any person who as the owner, proprietor, manager, superintendent or overseer of any activity, business, work, trade, occupation or profession, has control over or direction of, or is directly or indirectly responsible for the employment of a person therein;

“enclosed” means closed in by a roof or ceiling and four walls with an appropriate opening or openings for ingress or egress;

“inspector” means a person appointed by the council of the Corporation under clause (2) (k);

“smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;

“smoking policy” means a written policy that attempts to accommodate the preferences of smokers and non-smokers in a workplace;

“workplace” means any enclosed area of a building or structure in which an employee works.

By-laws
respecting
smoking in
the
workplace

(2) The council of the Corporation may pass by-laws,

- (a) requiring every employer in the Town of Markham, within the time specified in the by-law, to adopt and implement a smoking policy in respect of each workplace under the control, supervision or ownership of the employer;
- (b) requiring every employer required by by-law to adopt and implement a smoking policy to maintain that smoking policy in the workplace for which it was adopted and to give notice of the adoption of the smoking policy to each employee in the workplace within the time specified in the by-law;
- (c) providing that if a smoking policy has been adopted, a non-smoking employee may object to the employer about smoke in the workplace;
- (d) requiring an employer, if an objection has been made under clause (c), to attempt to reach a reasonable accommodation between the preferences of non-smoking and smoking employees using already available means of ventilation, separations or partitions, but no employer shall be required to make any expenditures or structural alterations to the workplace to accommodate the preferences of non-smoking employees;
- (e) requiring an employer to prohibit smoking in the workplace if an accommodation satisfactory to all non-smoking employees in a workplace cannot be reached and to erect signs indicating the prohibition;
- (f) prohibiting any person from smoking in a workplace contrary to the smoking policy adopted for that workplace;
- (g) prohibiting any person from smoking in a workplace if smoking has been prohibited as required by by-law;

- (h) prescribing the size, location and details of the signs which an employer is required by the by-law to erect in that workplace;
- (i) providing that any employer who permits smoking in a workplace contrary to the smoking policy adopted for that workplace or contrary to the prohibition under clause (e) is guilty of an offence;
- (j) prescribing the method by which any notice is required to be given by the employer; and
- (k) appointing inspectors.

(3) For the enforcement of any by-law passed under this section, an inspector, upon producing proper identification, may, at all reasonable hours, enter any workplace or any building or structure in which a workplace is situate, and may make examinations, investigations and inquiries.

Inspection of
workplace

(4) No inspector may enter a workplace that is also a dwelling without the consent of the occupant or without first obtaining and producing a warrant.

Where
workplace is
a dwelling

(5) No person shall hinder or obstruct an inspector lawfully carrying out the enforcement of any by-law passed under this section.

Obstruction
of inspector
prohibited

(6) If any person,

Application
for warrant

- (a) denies entry or access to an inspector, through or over a workplace or through or over any building or structure in which a workplace is situate;
- (b) instructs or directs an inspector to leave a workplace or any building or structure in which a workplace is situate;
- (c) obstructs an inspector from carrying out the enforcement of a by-law passed under this section; or
- (d) refuses to comply with a request for the production of any thing, the production of which is requested for the purpose of an examination, investigation or inquiry,

an inspector may apply to a justice of the peace for a warrant.

Warrant by
justice of the
peace

(7) If a justice of the peace is satisfied on information under oath,

(a) that there is reasonable and probable ground for believing that it is necessary,

(i) to enter and have access to any workplace or any building or structure in which a workplace is situate, or

(ii) to make examinations, investigations and inquiries for the purpose of this section or the enforcement of any by-law passed under this section; and

(b) that an inspector,

(i) has been denied entry to the workplace or to any building or structure in which a workplace is situate,

(ii) has been instructed or directed to leave the workplace or any building or structure in which a workplace is situate,

(iii) has been obstructed, or

(iv) has been refused production of any thing related to an examination, investigation or inquiry,

the justice of the peace may issue a warrant authorizing an inspector to act as mentioned in clause (a) in respect of the workplace or building or structure specified in the warrant, by force if necessary, together with such police officers as may be called upon to assist the inspector.

Execution of
warrant

(8) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(9) A warrant issued under this section shall state the date upon which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Application
without
notice

(10) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the employer or owner or occupier of the workplace or of the building or structure in which a workplace is situate.

2.—(1) In this section,

Definitions

“enclosed public place” means an enclosed indoor area that is open to the public and includes,

- (a) those parts of a restaurant, health care facility, retail store, commercial establishment, office building, educational or financial institution that are normally open to clients, customers, patients, students or other members of the public,
- (b) a bus or other vehicle that is used to provide transportation to the general public for a fee,
- (c) a school bus,
- (d) an elevator, escalator or stairway in any building, and
- (e) a bus shelter;

“health care facility” means a facility in which patients are or may be admitted for medical treatment or care and includes a hospital, nursing home and medical clinic;

“smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

(2) The council of the Corporation may pass by-laws prohibiting or regulating smoking in enclosed public places or in any class thereof during the time that the enclosed public places are actually open to the public.

By-laws
respecting
smoking in
public places

(3) A by-law passed under this section may,

Idem

- (a) designate areas where smoking is permitted in enclosed public places; and
- (b) prescribe the size, location and details of the signs which must be erected in enclosed public places.

(4) Nothing in this section limits the rights of a person in charge of an enclosed public place to further limit or ban smoking on all or part of the premises under that person's charge.

More
stringent
limitations on
smoking

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Town of Markham Act, 1988*.

CHAPTER Pr34

An Act to revive The Vic Johnston Community Centre Inc.

Assented to June 29th, 1988

Whereas Ross Edward Irwin and George Bentley hereby represent that The Vic Johnston Community Centre Inc., herein called the Corporation, was incorporated by letters patent dated the 14th day of July, 1961; that the Minister of Consumer and Commercial Relations, by order dated the 8th day of September, 1982 and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants are directors of the on-going organization carried on in its name; that notice of default was apparently sent to the Corporation at its address shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that none of the applicants were aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of the dissolution was carrying on the social and other functions authorized by its letters patent and since that time these functions have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Vic Johnston Community Centre Inc. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

1002

Chap. Pr34

VIC JOHNSTON COMMUNITY CENTRE

1988

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Vic Johnston Community Centre Inc. Act, 1988*.

CHAPTER Pr35

**An Act to revive
Primrock Mining and Exploration Limited**

Assented to June 29th, 1988

Whereas Daniel Gallo and Lorne McCarthy hereby represent Preamble
that Primrock Mining and Exploration Limited, herein called
the Corporation, was incorporated by letters patent dated the
2nd day of March, 1965; that the Minister of Consumer and
Commercial Relations by order dated the 16th day of March,
1976 cancelled the certificate of incorporation of the Corpora-
tion for default in complying with section 134 of *The Securities*
Act, being chapter 426 of the Revised Statutes of Ontario,
1970 and declared the Corporation to be dissolved on the 16th
day of March, 1976; that the illness and ultimate death of both
of the major shareholders of the Corporation prevented the
timely filing of articles of revival; that each of the applicants is
a relative of one of the deceased shareholders and represents
the estate of that deceased shareholder; that active business
has continued to be carried on in the name of the Corporation
since the time of its dissolution; and whereas the applicants
hereby apply for special legislation reviving the Corporation;
and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. Primrock Mining and Exploration Limited is hereby Revival
revived and is, subject to any rights acquired by any person
after its dissolution, hereby restored to its legal position,
including all its property, rights, privileges and franchises and
subject to all its liabilities, contracts, disabilities and debts as
at the date of its dissolution in the same manner and to the
same extent as if it had not been dissolved.

2. This Act comes into force on the day it receives Royal Commence-
ment
Assent.

3. The short title of this Act is the *Primrock Mining and* Short title
Exploration Limited Act, 1988.

CHAPTER Pr36

An Act respecting the County of Simcoe

Assented to June 29th, 1988

Whereas The Corporation of the County of Simcoe, hereby
 applies for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the appli-
 cation;

Preamble

Therefore, Her Majesty, by and with the advice and con-
 sent of the Legislative Assembly of the Province of Ontario,
 enacts as follows:

1. In this Act,

Definitions

“council” means the council of The Corporation of the
 County of Simcoe;

“local municipality” means a town, village or township in the
 County of Simcoe that is not separated therefrom for
 municipal purposes;

“municipal electors” means the persons entitled to vote at a
 municipal election.

2.—(1) Despite sections 27, 28 and 29 of the *Municipal
 Act*, membership on the council and the votes of such mem-
 bers are as follows:

Composition
 of council,
 voting
 R.S.O. 1980,
 c. 302

1. If a local municipality has less than 3,250 municipal electors, the reeve only is a member of the council and has one vote.
2. If a local municipality has at least 3,250 municipal electors and not more than 6,500 municipal electors, the reeve only is a member of the council and has two votes.
3. If a local municipality has more than 6,500 municipal electors and less than 9,750 municipal electors, the reeve only is a member of the council and has three votes.

4. If a local municipality has at least 9,750 municipal electors and not more than 13,000 municipal electors, the reeve and deputy reeve are members of the council and the reeve has three votes and the deputy reeve has one vote.
5. If a local municipality has at least 13,000 municipal electors, the reeve and deputy reeve are members of the council and the reeve has three votes and the deputy reeve has two votes.

Voting in
committee

(2) The council may by by-law provide that a member who in council has one or two additional votes by virtue of subsection (1) shall as a member of any committee have the same number of additional vote or votes.

Repeals

3. *The County of Simcoe Act, 1972*, being chapter 194 and *The County of Simcoe Act, 1979*, being chapter 139, are repealed.

Commence-
ment

4.—(1) This Act comes into force on the 1st day of December, 1988.

Transition
R.S.O. 1980,
c. 308

(2) Despite subsection (1), the regular election to be held in 1988 under the *Municipal Elections Act* shall be conducted as if this Act were in force.

Short title

5. The short title of this Act is the *County of Simcoe Act, 1988*.

CHAPTER Pr37

An Act to revive Moravian Temple Corporation

Assented to June 29th, 1988

Whereas Dick Fitzsimmons and Norman Bell hereby represent that Moravian Temple Corporation, herein called the Corporation, was incorporated by letters patent dated the 1st day of November, 1972; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act* and declared the Corporation to be dissolved on the 8th day of September, 1982; that although notice of default was sent to each of the directors of the Corporation, through inadvertence no action was taken to revive the Corporation until more than two years after the date thereof; that Norman Bell was a director of the Corporation at the time of its dissolution and is now secretary of the Corporation; that Dick Fitzsimmons is the current president of the Corporation; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 96

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Moravian Temple Corporation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Moravian Temple Corporation Act, 1988*.

Short title

CHAPTER Pr38

An Act respecting the Owen Sound Young Men's and Young Women's Christian Association

Assented to June 29th, 1988

Whereas the Owen Sound Young Men's and Young Women's Christian Association, herein called the Corporation, hereby represents that it was incorporated by letters patent dated the 7th day of November, 1966; that the object of the Corporation is the improvement of the spiritual, moral, social, educational and physical life of its members and others; that the Corporation is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that it is desirable that provision be made for exempting the real property of the Corporation situate in the City of Owen Sound from taxation for municipal and school purposes, other than local improvement rates; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Owen Sound may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Corporation, being the land and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Corporation.

Tax
exemption

R.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1988.

By-law may
be retroactive

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Owen Sound Young Men's and Young Women's Christian Association Act, 1988*.

SCHEDULE

In the City of Owen Sound, in the County of Grey, and being composed as follows:

Firstly: That part of Lot 24 on the west side of Poulett Street, in the City of Owen Sound, described as follows:

Commencing at the northeasterly angle of Lot 24;

Thence westerly along the northerly limit of Lot 24, a distance of 159.71 feet, more or less, to the westerly limit of said Lot;

Thence southerly along the westerly limit of Lot 24, a distance of 35.13 feet;

Thence easterly and parallel with the northerly limit of Lot 24, a distance of 156.68 feet, more or less, to the easterly limit of the said Lot;

Thence northerly along the said limit, a distance of 35 feet to the point of commencement.

Secondly: That certain parcel or tract of land in the said City of Owen Sound, and being composed of part of the river frontage on the east side of the River Sydenham, lying between the rear of the town lots fronting on the west side of Poulett Street from Lot No. 1 to Lot No. 24 and shown as Water Street on the Crown Plan of the Sydenham Townplot, dated February 1, 1846, by Charles Rankin, P.L.S., said part being more particularly described as follows:

Commencing at the northwesterly angle of Lot 24 on the west side of Poulett Street;

Thence southerly along the westerly limit of Lot 24 on the west side of Poulett Street, a distance of 35.13 feet;

Thence westerly and parallel with the northerly limit of Lot 24, a distance of 140 feet, more or less, to the easterly high water line of the Sydenham River;

Thence northwesterly, along that high water line, a distance of 40 feet, more or less, to a point where the northerly limit of Lot 24 on the west side of Poulett Street produced westerly intersects the easterly high water line of the Sydenham River;

Thence easterly along said produced line to the point of commencement.

Together with and subject to a right-of-way in common with all other persons having a like right over the said river frontage which may be more particularly described as follows:

Commencing at the southwesterly angle of Lot 24 on the west side of Poulett Street;

Thence northerly along the westerly limit of Lot 24, a distance of 106.46 feet, more or less, to the northwesterly angle of Lot 24;

Thence westerly along the production westerly of the northerly limit of Lot 24, a distance of 30 feet;

Thence southerly and parallel with the westerly limit of Lot 24, a distance of 106.46 feet, more or less, to the production westerly of the northerly limit of Campbell Street;

Thence easterly along the last mentioned production, a distance of 30 feet, more or less, to the point of commencement, until such time as Water Street shall be opened.

Which lands are the same lands previously described as instrument No. 257054;

And Lot 23, west side of Poulett Street, City of Owen Sound, County of Grey; and

The southerly 70 feet of even width throughout of Lot 22 on the west side of Poulett Street subject to a right-of-way over the northerly 5 feet by a depth of 100 feet of the lands herein described and together with a right-of-way over the southerly 5 feet by a depth of 100 feet of the lands adjoining thereto immediately to the north.

Which lands are the same lands previously described in instrument No. 98508.

CHAPTER Pr39

**An Act respecting
The Brockville Rowing Club Incorporated**

Assented to June 29th, 1988

Whereas The Brockville Rowing Club Incorporated, herein called the Club, hereby represents that it was incorporated by letters patent dated the 5th day of February, 1971 as amended by supplementary letters patent dated the 10th day of December, 1986; that the Club is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that the objects of the Club are to promote rowing, aquatic sports and recreational facilities to the community at large and to establish, maintain and conduct a club for the accommodation, recreation and convenience of the community at large; that it is desirable that provision be made for exempting the real property of the Club situate in the City of Brockville in the County of Leeds more particularly described in the Schedule hereto, from taxation for municipal and school purposes, other than local improvement rate; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Brockville may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Club, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Club.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1987.

Retroactive
by-law

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Brockville Rowing Club Incorporated Act, 1988*.

SCHEDULE

That parcel of land and premises situate in the City of Brockville, in the County of Leeds, being composed of City lots 48 and 49 in Block 10 as laid down on the map of the said City made by Willis Chipman, P.L.S., filed in the Registry Office for the said County of Leeds on July 2nd, 1984 and also the Water Lots in the front of the said lots 48 and 49.

CHAPTER Pr40

An Act respecting The Peterborough Civic Hospital

Assented to June 29th, 1988

Whereas The Peterborough Civic Hospital, The Corporation of the City of Peterborough and The Corporation of the County of Peterborough, herein called the applicants, hereby represent that it is desirable that the Board of Governors of The Peterborough Civic Hospital be granted additional powers to expand or enlarge the hospital, subject to the *Public Hospitals Act*, and to do all things necessary or incidental in connection therewith, including the power to execute agreements for capital projects; that it is desirable that the Board of Governors of The Peterborough Civic Hospital be granted the authority to enter into agreements to lease hospital property or grant easements or rights-of-way over hospital land and to contract for all matters incidental to the operation of the hospital; that it is also desirable that all actions, demands or claims arising from or in relation to the exercise of the powers and rights of the Board of Governors should be brought against the hospital and not against The Corporation of the City of Peterborough or The Corporation of the County of Peterborough; and whereas the applicants hereby apply for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 410

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Peterborough Civic Hospital Act, 1945*, being chapter 34, as amended by the Statutes of Ontario, 1949, chapter 136, section 2 and 1985, chapter Pr10, section 2, is repealed and the following substituted therefor:

7.—(1) Subject to the *Public Hospitals Act*, the Board of Governors shall have the power to,

Powers of
Board of
Governors
R.S.O. 1980,
c. 410

- (a) construct, expand or renovate the hospital;
- (b) enter into agreements for all services, work or materials related to a hospital project or necessary

to complete the construction, expansion or renovation of the hospital; and

- (c) furnish and equip the hospital and to enter into agreements for such purpose.

Powers
respecting
property

(2) The Board of Governors shall have control over and the custody of all real and personal property, belonging to or used in connection with the hospital and may sell or otherwise dispose of any personal property when it is no longer required for the purposes of the hospital.

2. Section 8 of the said Act, as amended by the Statutes of Ontario, 1949, chapter 136, section 3, is repealed and the following substituted therefor:

Property of
Board vested
in City

8.—(1) Notwithstanding sections 9 and 11, all real and personal property acquired by the Board of Governors is vested in The Corporation of the City of Peterborough.

Agreements
respecting
property
R.S.O. 1980,
c. 410

(2) Subject to the *Public Hospitals Act*, the Board of Governors may enter into agreements to lease hospital property or grant an easement or right-of-way over, under or upon hospital land or any part of it and The Corporation of the City of Peterborough shall execute and register the necessary documents to give effect to such agreement.

Claims to be
brought
against Board
of Governors

(3) All claims, accounts and demands arising from or in relation to the management and control of the hospital or the exercise of any rights or powers of the Board of Governors under this Act shall be made upon and brought against The Peterborough Civic Hospital and not upon or against The Corporation of the City of Peterborough or The Corporation of the County of Peterborough.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Peterborough Civic Hospital Act, 1988*.

CHAPTER Pr41

An Act to revive Lebon Gold Mines Limited*Assented to June 29th, 1988*

Whereas James Winters and Arthur Jackson hereby represent that Lebon Gold Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 24th day of April, 1945; that the Minister of Consumer and Commercial Relations by order dated the 16th day of March, 1976 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for failure to comply with section 134 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970, and declared the Corporation to be dissolved on the 16th day of March, 1976; that the applicants were majority shareholders of the Corporation at the time of its dissolution; that notice of default was apparently sent to William Courtney Simpson who at the relevant time was a director of the Corporation; that the said William Courtney Simpson is now deceased; that the default occurred by reason of a mistake or inadvertence; that the applicants were unaware of the dissolution of the Corporation until more than four years after the date thereof; that the Corporation at the time of the dissolution was inactive but that it is desirable to revive the Corporation so that it is able to pursue interests it may have in certain patented mining claims; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Lebon Gold Mines Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a corporation incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Lebon Gold Mines Limited Act, 1988*.

CHAPTER Pr42

An Act to revive the Gottscheer Relief Association

Assented to June 29th, 1988

Whereas Norbert Lackner hereby represents that the Gottscheer Relief Association, herein called the Corporation, was incorporated by letters patent dated the 19th day of January, 1966; that the Minister of Consumer and Commercial Relations by order dated the 17th day of July, 1979, and made under the authority of subsection 347 (9) of *The Corporations Act*, being chapter 89 of the Revised Statutes of Ontario, 1970, cancelled the letters patent of the Corporation for default in complying with section 5 of *The Corporations Information Act*, 1976, being chapter 66, and declared the Corporation to be dissolved on the 17th day of July, 1979; that the applicant is an officer of the ongoing association that is carried on in the name of the Corporation and is also a director thereof; that notice of default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that the applicant was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of dissolution was carrying on the functions authorized by its letters patent and the Corporation held certain real property on behalf of its members; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Gottscheer Relief Association is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Gottscheer Relief Association Act, 1988*.

CHAPTER Pr43

**An Act respecting
The Incorporated Synod of the Diocese of Huron**

Assented to June 29th, 1988

Whereas The Incorporated Synod of the Diocese of Huron, herein called the Synod, hereby represents that by section 12 of *An Act to Incorporate the Synod of the Diocese of Huron and to unite the Church Society of the Diocese of Huron therewith*, being chapter 74 of the Statutes of Ontario, 1874, as re-enacted by the Statutes of Ontario, 1970, chapter 146, it was authorized to invest not less than 80 per cent of the book value of the assets comprising funds held by it in trust in government securities, municipal debentures, stock of any chartered bank or permanent building society or any other incorporated financial company in Canada, or in mortgages of real estate; and it was authorized to invest up to 20 per cent of the book value of such assets in investments in which companies registered under Part III of the *Canadian and British Insurance Companies Act* (Canada) are authorized to invest; and whereas the Synod desires to be empowered to invest the assets comprising the funds held by it in trust in those securities authorized by law for trustees in order to obtain a greater diversity of investment and an increase in the income derived therefrom; and whereas the Synod hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1970,
c. 1-15

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 12 of *An Act to Incorporate the Synod of the Diocese of Huron and to unite the Church Society of the Diocese of Huron therewith*, being chapter 74 of the Statutes of Ontario, 1874, as re-enacted by the Statutes of Ontario, 1970, chapter 146, section 1, is repealed and the following substituted therefor:

12. (1) The Synod shall invest the funds held by it in trust in investments authorized for trustees under the *Trustee*

Investment of
funds
R.S.O. 1980
c. 512

Act subject to any express term in the instrument creating the trust.

Exemption

R.S.O. 1980,
c. 59

(2) This section does not apply to funds held by the Synod that are perpetual care funds as defined in the *Cemeteries Act*.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Incorporated Synod of the Diocese of Huron Act, 1988*.

CHAPTER Pr44

An Act respecting the City of Etobicoke

Assented to June 29th, 1988

Whereas The Corporation of the City of Etobicoke, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“employee” includes a person who,

- (a) performs any work for or supplies any services to an employer, or
- (b) receives any instructions or training in the activity, business, work, trade, occupation or profession of the employer;

“employer” includes any person who as the owner, proprietor, manager, superintendent or overseer of any activity, business, work, trade, occupation or profession, has control over or direction of, or is directly or indirectly responsible for the employment of a person therein;

“enclosed” means closed in by a roof or ceiling and four walls with an appropriate opening or openings for ingress or egress;

“inspector” means a person appointed by the council of the Corporation under clause 2 (k);

“smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;

“smoking policy” means a written policy that attempts to accommodate the preferences of smokers and non-smokers in a workplace;

“workplace” means any enclosed area of a building or structure in which an employee works.

By-laws
respecting
smoking in
the
workplace

2. The council of the Corporation may pass by-laws,

- (a) for requiring every employer in the City of Etobicoke, within the time specified in the by-law, to adopt and implement a smoking policy in respect of each workplace under the control, supervision or ownership of the employer;
- (b) for requiring every employer required by by-law to adopt and implement a smoking policy to maintain that smoking policy in the workplace for which it was adopted and to give notice of the adoption of the smoking policy to each employee in the workplace within the time specified in the by-law;
- (c) for providing that if a smoking policy has been adopted, a non-smoking employee may object to the employer about smoke in the workplace;
- (d) for requiring an employer, if an objection has been made under clause (c), to attempt to reach a reasonable accommodation between the preferences of non-smoking and smoking employees using already available means of ventilation, separations or partitions, but no employer shall be required to make any expenditures or structural alterations to the workplace to accommodate the preferences of non-smoking employees;
- (e) for requiring an employer to prohibit smoking in the workplace if an accommodation satisfactory to all non-smoking employees in a workplace cannot be reached and to erect signs indicating the prohibition;
- (f) for prohibiting any person from smoking in a workplace contrary to the smoking policy adopted for that workplace;
- (g) for prohibiting any person from smoking in a workplace if smoking has been prohibited as required by by-law;

- (h) for prescribing the size, location and details of the signs which an employer is required by the by-law to erect in that workplace;
- (i) for providing that any employer who permits smoking in a workplace contrary to the smoking policy adopted for that workplace or contrary to the prohibition under clause (e) is guilty of an offence;
- (j) for prescribing the method by which any notice is required to be given by the employer; and
- (k) for appointing inspectors.

3.—(1) For the enforcement of any by-law passed under this Act, an inspector, upon producing proper identification, may, at all reasonable hours, enter any workplace or any building or structure in which a workplace is situate, and may make examinations, investigations and inquiries. Inspection of workplace

(2) No inspector may enter a workplace that is also a dwelling without the consent of the occupant or without first obtaining and producing a warrant. Where workplace is a dwelling

(3) No person shall hinder or obstruct an inspector lawfully carrying out the enforcement of any by-law passed under this Act. Obstruction of inspector prohibited

(4) If any person, Application for warrant

- (a) denies entry or access to an inspector, through or over a workplace or through or over any building or structure in which a workplace is situate;
- (b) instructs or directs an inspector to leave a workplace or any building or structure in which a workplace is situate;
- (c) obstructs an inspector from carrying out the enforcement of a by-law passed under this Act; or
- (d) refuses to comply with a request for the production of any thing, the production of which is requested for the purpose of an examination, investigation or inquiry,

an inspector may apply to a justice of the peace for a warrant.

(5) If a justice of the peace is satisfied on evidence under oath, Warrant by justice of the peace

- (a) that there is reasonable and probable ground for believing that it is necessary,
 - (i) to enter and have access to any workplace or any building or structure in which a workplace is situate, or
 - (ii) to make examinations, investigations and inquiries for the purpose of this section or the enforcement of any by-law passed under this section; and
- (b) that an inspector,
 - (i) has been denied entry to the workplace or to any building or structure in which a workplace is situate,
 - (ii) has been instructed or directed to leave the workplace or any building or structure in which a workplace is situate,
 - (iii) has been obstructed, or
 - (iv) has been refused production of any thing related to an examination, investigation or inquiry,

the justice of the peace may issue a warrant authorizing an inspector to act as mentioned in clause (a) in respect of the workplace or building or structure specified in the warrant, by force if necessary, together with such police officers as may be called upon to assist the inspector.

Execution of
warrant

(6) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(7) A warrant issued under this section shall state the date upon which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Ex parte
application

(8) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the employer or owner or occupier of the workplace or of the building or structure in which a workplace is situate.

4. This Act comes into force on the day it receives Royal Assent. Commence
ment

5. The short title of this Act is the *City of Etobicoke Act*, Short title
1988.

CHAPTER Pr45

An Act respecting the City of North York*Assented to June 29th, 1988*

Whereas The Corporation of the City of North York considers it desirable to establish a corporation to maintain, operate, manage, market and promote the North York Performing Arts Centre as an artistic, cultural, social, educational and recreational facility for the benefit of the City of North York and its inhabitants and in the public interest; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“board” means the board of directors of the corporation;

“City” means The Corporation of the City of North York;

“corporation” means The North York Performing Arts Centre Corporation as established by this Act;

“council” means the council of the City;

“North York Performing Arts Centre” means any land, buildings, fixtures and undertakings within the City of North York that is owned or available to or used by the corporation.

2.—(1) There is hereby established a corporation without share capital under the name of “The North York Performing Arts Centre Corporation”.

Corporation established

(2) The corporation shall be composed of those persons who comprise its board.

Composition

3. The corporation shall be carried on without the purpose of gain and any income or other accretions to the corporation shall be used in promoting its objects.

Non-profit corporation

Application
of 1982, c. 4,
s. 21

4. Section 21 of the *Business Corporations Act, 1982* applies with necessary modifications to oral and written contracts entered into in the name of or on behalf of the corporation before the day this Act comes into force.

Objects

5. The objects of the corporation, for charitable purposes, are to maintain, operate and manage the North York Performing Arts Centre for the benefit of the public and, without limiting the generality of the foregoing,

- (a) to provide facilities and services for the performing arts, the fine arts and other charitable and cultural activities;
- (b) to establish educational facilities and provide instruction in all areas of the arts;
- (c) to provide facilities and services for holding receptions, meetings, conferences, conventions, exhibitions and displays;
- (d) to operate an art gallery, gift shop, theatre, music hall, studio theatre, concert hall, ballroom, film, television or recording studio, refreshment stands and restaurants;
- (e) to promote the advancement of the performing and fine arts;
- (f) to present, produce, manage and conduct performances of the performing arts, including plays, dramas, comedies, revues, operas, concerts, musicals, television shows, video tapes, sound recordings, films, variety, ballets, shows and other artistic undertakings;
- (g) to promote and market the North York Performing Arts Centre; and
- (h) to oversee, arrange or contract for and supervise the design, construction and promotion of any building or structure for the North York Performing Arts Centre.

Board of
directors

6.—(1) The corporation shall have a board which shall manage, supervise and conduct the affairs of the corporation.

Composition
of board

(2) The board shall be composed of,

- (a) the mayor of the City who shall be a director by virtue of office; and
- (b) eleven other members appointed by the council by by-law of whom,
 - (i) three shall be members of council, and
 - (ii) eight shall not be members of council and shall include at least three representatives of the business community and at least two representatives of the arts community.

(3) Subject to subsection (4), the directors shall hold office until the expiration of the term of council that appointed them and until their successors are appointed.

Term

(4) The first directors shall hold office for four years.

First
directors

(5) Directors shall serve without remuneration and no director shall directly or indirectly receive any profit from the office of director but a director may be paid or reimbursed for reasonable expenses incurred in the performance of the director's duties.

Remuneration

7. A majority of the directors constitutes a quorum at any meeting of the board and if there are vacancies on the board, a majority of the remaining directors constitutes a quorum.

Quorum

8.—(1) The meetings of the board shall be open to the public and no person shall be excluded from a meeting except for improper conduct as determined by the chairperson of the board.

Open
meetings

(2) Despite subsection (1), meetings of the board may be closed to the public during discussion of,

Exceptions

- (a) employment matters, including wages, salaries, benefits, discipline and collective bargaining;
- (b) litigation and communications respecting solicitor-client relationships, including legal opinions and advice;
- (c) proposed or actual contracts with individuals, organizations and corporations and the financial results thereof; and
- (d) any other matter which the board in its discretion determines as appropriate for private discussion.

Indemnification

9.—(1) Subject to subsection (2), every director or officer of the corporation and the heirs, executors, administrators and other legal personal representatives of every director or officer shall be indemnified by the corporation from and against,

- (a) any liability and all costs, charges and expenses sustained or incurred in any action or proceeding that is proposed or commenced against him or her for any act done or permitted to be done in the execution of the person's duties; and
- (b) all other liability, costs, charges and expenses that the director or officer sustains or incurs in respect of the affairs of the corporation.

Limitation

(2) No director or officer of the corporation shall be indemnified by the corporation in respect of any liability, costs, charges or expenses sustained or incurred in connection with any action or proceeding unless the person acted honestly and in good faith with a view to the best interests of the corporation.

Duties of directors, officers

10. Every director and officer of the corporation shall exercise the powers and discharge the duties of the office honestly and in good faith with a view to the best interests of the corporation, and in connection therewith shall exercise the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

Officers

11.—(1) Subject to subsection (2), officers shall be appointed by the board with the prior approval of council to hold office until their successor is appointed.

First officers

(2) The first officers of the corporation shall be appointed for five years.

Manager

(3) The board shall appoint the commissioner of economic development of the City as the first general manager and first chief executive officer of the corporation.

Assistant manager

(4) The board shall appoint the civic projects officer of the City as the first assistant general manager of the corporation.

Legal counsel

(5) The board shall appoint the solicitor of the City as the first legal counsel for the corporation.

Treasurer

(6) The board shall appoint the treasurer of the City as the first treasurer of the corporation.

- (7) The board shall appoint the clerk of the City as the first secretary of the corporation.

Secretary
- (8) The secretary shall,

Duties of secretary

(a) give notice of the meetings of the board;

(b) keep all minutes of meetings and proceedings of the board; and

(c) submit to the board at each of its meetings the minutes of the last meeting of the board.
- 12.—(1) All contracts exceeding \$500,000 that the corporation proposes to enter shall be submitted to council for its approval and, if approved, shall be executed by the secretary and the general manager.

When prior approval of contracts required
- (2) The procedures and practices of the board respecting contracts and tenders shall be substantially similar to the procedures and practices of the council respecting contracts and tenders.

Procedures respecting contracts
- (3) The board may enter into an agreement with any person to manage, operate or maintain the North York Performing Arts Centre or any part thereof but the prior approval of council is required in respect of any proposed agreement to operate the main theatre of the North York Performing Arts Centre.

Agreements
- 13.—(1) The City may grant to the corporation, by by-law, any interest in real property held by the City for the purposes of the corporation.

Real property
- (2) Despite subsection (1), the City may by by-law assume the management of the land, buildings, fixtures and undertakings of the corporation, and in such event the corporation shall be divested of its responsibilities in relation to such property, as the City may determine.

Assumption by City
- (3) The corporation shall not acquire, hold or dispose of any interest in any real property without the approval of council.

Restriction respecting real property
- 14.—(1) The corporation shall provide council with statements of,

Financial statements

(a) revenues and expenditures;

(b) profit and loss; and

- (c) such financial matters or operating expenditures as council may require,

in such form as the treasurer of the City may require and at such times as council may require.

Accounting records

(2) The corporation shall keep, in such form as the treasurer of the City may require, proper books of account and accounting records with respect to all financial and other transactions of the corporation, including records of all sums of money received from any source and disbursed in any manner.

Auditor

(3) The accounts, books and records of the corporation shall be audited annually by the auditor of the City and shall be submitted to council annually on or before the date specified by council.

Fiscal year

(4) The fiscal year of the corporation shall be the same as the fiscal year of the City.

Budget

15.—(1) The corporation shall prepare, in such form as the treasurer of the City may require, a detailed annual budget of estimated revenues and expenditures, including the estimated revenues and expenditures of any reserve fund of the corporation.

Submission to council

(2) The corporation shall submit to council the budget and such other information as council may require.

Approval of council required for budget

(3) The annual budget of the corporation is subject to the approval of council, and, except with the approval of council, no obligation other than normal operating expenses may be incurred or expenditure made by the corporation prior to that approval.

Requisition to council

16.—(1) The corporation may requisition council for any sums of money it requires to carry out its objects and duties.

Approval of council

(2) Council may approve the sums so requisitioned or such other amounts as it determines.

Annual report

17. The corporation shall prepare and submit an annual report to council.

Limitation on powers

18.—(1) The corporation shall not incur any indebtedness or obligation, contingent or otherwise, or expend any moneys except as authorized by this Act.

(2) Within the limits of its budget, as approved by council, the corporation may expend such moneys and incur such obligations as are necessary to carry out its objects, powers and duties.

Authorized
expenditure

(3) Despite subsection (2), the corporation may, with the approval of council, incur indebtedness and other obligations and expend moneys in excess of the approved budget for any fiscal period.

Exception

(4) Where any indebtedness or obligation proposed to be incurred would extend beyond the term of council then in office, the approval of the council to the incurring of the indebtedness or obligation is subject to sections 64 and 65 of the *Ontario Municipal Board Act* as though the giving of the approval were the incurring of a debt or obligation or the making of an expenditure by the City.

O.M.B.
approval

R.S.O. 1980.
c. 347

19.—(1) In this section,

Definitions

“conservation” means the repair, alteration and replacement of building components and systems, other than maintenance of a routine or minor nature conducted on a day to day basis;

“emergency repairs or replacements” means unanticipated repairs or replacements due to sudden failure or breakage which are necessary for the safe use of the North York Performing Arts Centre.

(2) The corporation shall establish and maintain an adequate reserve fund for the conservation of the North York Performing Arts Centre.

Reserve fund

(3) The requirements of the reserve fund shall be determined on the basis of reasonably anticipated costs of repairs and alterations to and replacements of building components and systems and the life expectancy of the components and systems.

Requirements
of reserve
fund

(4) The corporation shall invest the assets of the reserve fund in investments in which the moneys of a municipality may be invested under subsection 169 (2) of the *Municipal Act* and all income from the investments shall be credited to the reserve fund.

Investments

R.S.O. 1980
c. 302

(5) The assets of the reserve fund shall be kept separate from the other assets of the corporation.

Reserve fund
to be kept
separate

Use of
reserve fund

(6) The reserve fund for conservation shall be applied in accordance with the annual budget of the corporation, as approved by council, and may be used for emergency repairs or replacements of building components and systems not covered in the annual budget.

Borrowing

20. The City may borrow money for any of the objects of the corporation by the issue of debentures and may levy therefor on the rateable property in the City.

Claims, etc.

21. Subject to any agreement of the City to the contrary, all claims, accounts, demands or causes of action arising from or relating to the objects of the corporation or from the exercise of any of the powers of the corporation shall be made upon and brought against the corporation and not upon or against the City.

Council may
require
reports, etc.

22. The council may require the corporation,

(a) to provide information, records, accounts, agendas, notices or documents; and

(b) to make a report on any matter,

relating to the carrying out of the purposes and objects of the corporation.

Dissolution
of
corporation

23.—(1) The council may, by by-law passed by a vote of at least two-thirds of all the members thereof, assume the powers and duties of the corporation and upon the enactment of the by-law, the corporation is dissolved and the City shall possess all of the property, rights, privileges and franchises of the corporation and shall be subject to all of its liabilities, contracts, disabilities and debts.

Insolvency

(2) If the corporation becomes insolvent, the corporation is thereupon dissolved and the City shall possess all of the property, rights, privileges and franchises of the corporation and shall be subject to all of its liabilities, contracts, disabilities and debts.

Application
of
R.S.O. 1980,
c. 140

24.—(1) Except to the extent that a regulation under clause 40 (f) of the *Environmental Assessment Act* designates an enterprise or activity of the corporation or of the City related to the corporation as an undertaking to which the *Environmental Assessment Act* applies, the enterprises, proposals, plans, activities or programs of the corporation shall be deemed not to be an undertaking to which the *Environmental Assessment Act* applies.

(2) For the purposes of any designating regulation referred to in subsection (1), subsection (1) shall be deemed to be an exempting regulation under clause 40 (f) of the *Environmental Assessment Act*.

Deeming
provision

R.S.O. 1980,
c. 140

25. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

26. The short title of this Act is the *City of North York Act, 1988 (No. 2)*.

Short title

CHAPTER Pr46

An Act to revive 329931 Ontario Limited*Assented to June 29th, 1988*

Whereas Robert Murrell hereby represents that 329931 Ontario Limited, herein called the Corporation, was incorporated by letters patent dated the 2nd day of February, 1976; that the Minister of Consumer and Commercial Relations by order dated the 15th day of September, 1980 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in filing annual returns and declared the Corporation to be dissolved on the 15th day of September, 1980; that the applicant was the director and the holder of all the common shares of the Corporation at the time of its dissolution; that on-going business activities have been carried on in the name of the Corporation since the date of dissolution; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. 329931 Ontario Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commencement

3. The short title of this Act is *329931 Ontario Limited Act, 1988*.

Short title

CHAPTER Pr47

An Act respecting the City of Ottawa

Assented to December 15th, 1988

Whereas The Corporation of the City of Ottawa, herein called the Corporation, was empowered by *The City of Ottawa Act, 1960-61*, being chapter 120, to establish and maintain hospitals; that the Corporation by by-law established the Riverside Hospital of Ottawa; that it is desirable to revise the special legislation; and whereas the Corporation, with the concurrence of the Riverside Hospital of Ottawa, hereby applies for special legislation in respect of the matters that pertain to the Riverside Hospital of Ottawa; and whereas the Corporation further applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may pass by-laws for the establishment, erection, furnishing and maintenance of a hospital for the reception, care and treatment of persons affected with a disability, disease or illness or of a hospital for convalescent persons and, subject to the approval of the Ontario Municipal Board, may pass by-laws for the issue of debentures therefor.

Establishment and maintenance of hospital authorized

(2) The management and control of each hospital established under subsection (1) is vested in a board of trustees.

Board of trustees

(3) Subject to the *Public Hospitals Act*, the board of trustees shall,

Duties of board of trustees
R.S.O. 1980,
c. 410

(a) operate, maintain and manage the hospital; and

(b) manage all the real and personal property used for the purposes of the hospital.

(4) The board of trustees of each hospital shall be composed of,

Composition of board

R.S.O. 1980,
c. 410

- (a) such persons as are provided for under the *Public Hospitals Act*;
- (b) the mayor of the City of Ottawa;
- (c) the executive director of the hospital;
- (d) the president of the hospital auxiliary; and
- (e) not fewer than eight nor more than eleven trustees appointed by the council of the Corporation.

Restriction

(5) Not more than three of the trustees appointed under clause (4) (e) shall be members of the council of the Corporation.

Residency
requirement
where
hospital land
outside City

(6) So long as land is owned or leased outside the City of Ottawa for the purposes of the hospital, at least one but not more than two trustees appointed under clause (4) (e) shall be a resident of The Regional Municipality of Ottawa-Carleton, but not of the City of Ottawa, at the time of the appointment.

Trustees
appointed by
Corporation

(7) The council of the Corporation may by by-law prescribe in respect of the trustees appointed under clause (4) (e),

- (a) the number of trustees;
- (b) the conditions of eligibility for appointment;
- (c) the time and manner of appointment;
- (d) the commencement of the term of office; and
- (e) the term of office.

Power of
board

(8) Each board of trustees, subject to the approval of the council of the Corporation, has the power to alter, expand or enlarge the hospital and establish other hospitals or similar institutions.

Real
property in
City

(9) The council of the Corporation may,

- (a) acquire by gift or purchase;
- (b) subject to the *Expropriations Act*, expropriate; or
- (c) lease,

R.S.O. 1980,
c. 148

any real property within the City of Ottawa that is necessary or desirable for the alteration, expansion or enlargement of

the hospital or for the establishment of other hospitals or similar institutions.

(10) The council of the Corporation may acquire by gift or purchase or lease any real property within The Regional Municipality of Ottawa-Carleton, but not within the City of Ottawa, that is necessary or desirable for the alteration, expansion or enlargement of the hospital or for the establishment of other hospitals or similar institutions.

Real
property in
region

(11) Each board of trustees is a corporation under such name as may be approved by the Lieutenant Governor in Council upon petition by the Corporation.

Corporation

(12) Subject to the *Public Hospitals Act*, each board of trustees may sell or dispose of any personal property no longer required for its purposes, but the proceeds derived from the sale or disposal shall be held and applied for the purposes of each board of trustees.

Disposal of
personal
property
R.S.O. 1980,
c. 410

(13) Except as provided by the *Public Hospitals Act* and subject to clause (4) (c), no member of the medical staff or employee of any hospital nor the spouse of a member or employee of any hospital is eligible to be a trustee of that hospital.

Persons
ineligible to
be trustees

(14) A trustee who is a member of the council of the Corporation shall cease to be a trustee on the day on which he or she ceases to be a member of the council of the Corporation.

Idem

(15) A trustee shall cease to be eligible to serve as a member of the board of trustees if any of the eligibility requirements set out in subsection (6) or prescribed by the council under clause (7) (b) are not maintained.

Idem

(16) Where a vacancy occurs among the members of the board of trustees who are appointed under clause (4) (e), the council of the Corporation shall immediately appoint a person to fill the vacancy and, where the vacancy occurs before the expiry of the term of the vacating member, the appointee shall hold office for the remainder of the unexpired term of the vacating member.

Vacancies

(17) A majority of the members of each board of trustees constitutes a quorum, except that where there are vacancies on the board, a majority of the members in office constitutes a quorum.

Quorum

(18) Each board of trustees that is managing and controlling a hospital established under *The City of Ottawa Act*,

Continuation
of board of
trustees
1960-61,
c. 120

1960-61 is hereby continued as a corporation without share capital under this Act.

Transition

(19) Every member of the board of trustees of each hospital in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires.

Estimates to be submitted to council

(20) Before the beginning of the fiscal year of the hospital, each board of trustees shall submit to the council of the Corporation, for approval, estimates of its revenues and expenditures for the fiscal year in its operating fund and all reserve and trust funds, and estimates of expenditures in its capital fund for the next five fiscal years, together with an estimate of the sources of funding of such capital expenditures, including receipts from the sale of assets.

Preparing estimates

(21) In preparing the estimates for the operating funds, the board of trustees shall make due allowance for a surplus of any previous year that will be available and shall provide for any operating deficit of any previous year and may provide for anticipated revenues on account of operations from all sources, including the Ministry of Health, any municipality, and transfers to or from other funds, but the board of trustees shall not budget for a surplus or deficit to be incurred in the fiscal year to which the estimates relate.

Restrictions on issues of debentures

(22) The board of trustees shall not authorize or proceed with, or provide any moneys for, any undertaking, work or project the cost of which is to be provided in whole or in part by the issue of debentures or other forms of long term debt or is to be provided in whole or in part from the revenues of a future year until the approval of the council of the Corporation has been obtained.

R.S.O. 1980, c. 302 applies

(23) Subsection 71 (3) of the *Municipal Act* applies to the estimates referred to in subsection (20).

Financial statements

(24) Each board of trustees shall deliver to the council of the Corporation a copy of the financial statements for each fiscal year, prepared by the auditors of the board of trustees, together with the comments of the auditors thereon, immediately after the financial statements have been approved by the board of trustees.

Appointment of auditor

(25) The council of the Corporation shall appoint the auditor of each board of trustees in the same manner as it appoints its own auditor.

Powers of board of trustees

(26) Each board of trustees,

- (a) may enter into agreements to provide pension or superannuation benefits for the employees of its hospital under a plan approved by the Ministry of Health;
- (b) may invest in securities authorized by law for investment by trustees under the *Trustee Act*; R.S.O. 1980,
c. 512
- (c) subject to the *Public Hospitals Act*, may establish charges for hospital services; R.S.O. 1980,
c. 410
- (d) may enact by-laws and regulations for the operation and management of the hospital and for establishing the duties and responsibilities of the members of the board of trustees, including attendance requirements for meetings; and
- (e) may enter into an agreement with any municipal corporation in Ontario for the payment by the municipal corporation of a grant or grants to the board of trustees towards the capital cost of construction of the hospital or for equipment for the hospital.

(27) The by-laws and regulations made by a board of trustees before the coming into force of this Act remain valid in so far as they are not inconsistent with this Act until they are revoked or replaced. Transition

2.—(1) The council of the Corporation may pass by-laws requiring the driver of, By-laws
requiring
surrender of
driver's
licence and
vehicle
permit

- (a) a cab or other vehicle used for hire or any class thereof;
- (b) a refreshment vehicle;
- (c) a driving school vehicle; or
- (d) any other class of vehicle that is regulated under a by-law passed by the council of the Corporation for the licensing, regulating and governing of any trade, calling, business or occupation or of the person carrying on or engaged in it,

to surrender for reasonable inspection, upon the demand of the chief licence inspector of the Corporation or a licence inspector appointed by by-law, his or her driver's licence issued under section 18 of the *Highway Traffic Act* or under the law of another jurisdiction and the permit for the vehicle

R.S.O. 1980,
c. 198

issued under section 7 of the *Highway Traffic Act* or under the law of another jurisdiction.

Restriction (2) A by-law passed under subsection (1) does not empower a licence inspector to stop a moving vehicle.

3. Section 4 of the *Ottawa Civic Hospital Act, 1983*, being chapter Pr38, is repealed and the following substituted therefor:

Board of Trustees **4.—(1)** The affairs of the Corporation shall be managed by a Board of Trustees.

Composition of Board (2) The Board shall be composed of,

R.S.O. 1980, c. 410 (a) such persons as are provided for under the *Public Hospitals Act*;

(b) the mayor of the City of Ottawa;

(c) one nominee of the Ottawa Civic Hospital Auxiliary; and

(d) sixteen trustees appointed by the council of The Corporation of the City of Ottawa.

Residence requirement (3) A trustee appointed under clause (2) (d) shall, at the time of the appointment to the Board, be a resident of The Regional Municipality of Ottawa-Carleton and shall cease to be eligible to serve as a trustee if the residency requirement is not maintained.

Idem (4) At least eight of the trustees appointed under clause (2) (d) shall be residents of the City of Ottawa at the time of their appointment and shall cease to be eligible to serve as a trustee if the residency requirement is not maintained.

Restrictions (5) No officer or employee of the Corporation shall be appointed under clause (2) (d) as a trustee and not more than two of the trustees appointed under clause (2) (d) shall be members of the council of The Corporation of the City of Ottawa.

Term of office (6) The trustees appointed under clause (2) (d) shall serve for a term of three years and until their successors are appointed, but no such trustee shall serve for more than three consecutive terms, except, a trustee who has served three consecutive terms is again eligible for appointment to the Board on the expiration of one year after having completed the third of three consecutive terms.

(7) Service on the Board of The Trustees of the Ottawa Civic Hospital before the coming into force of this Act constitutes service on the Board for the purposes of subsection (6). Idem

(8) Where a vacancy occurs among the trustees appointed under clause (2) (d), the council of The Corporation of the City of Ottawa shall immediately appoint a person to fill the vacancy and, where the vacancy occurs before the expiry of the term of the vacating trustee, the appointee shall hold office for the remainder of the unexpired term of the vacating trustee. Vacancies

(9) The Board may by resolution passed by two-thirds of the votes cast by the members present at a meeting duly called for the purpose declare the seat of a trustee appointed under clause (2) (d) vacant if, in the opinion of the Board, the member has contravened this Act or the by-laws of the Corporation. Declaration of vacancy

(10) The Board shall appoint annually at its first meeting in each fiscal year one of the trustees appointed under clause (2) (d) to be the chairperson and may appoint one of its trustees appointed under that clause to be vice-chairperson who shall, in the absence of the chairperson or if the office of the chairperson is vacant, act in the chairperson's place and the Board may appoint such other officers as the Board considers necessary. Chairperson, etc.

(11) Questions arising at any meeting of the Board shall be decided by a majority of votes. Votes

(12) The services of the trustees shall be given without remuneration, except for actual disbursements incurred in connection with the affairs of the Corporation and approved by the Board, but this subsection does not prevent an *ex officio* trustee from receiving a salary or other remuneration for his or her employment by or services rendered to the Corporation otherwise than as a trustee. Remuneration

(13) Every member of the Board of The Trustees of the Ottawa Civic Hospital in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires. Transition

4. The following are repealed:

Repeals

1. Section 1 of *The City of Ottawa Act, 1960-61*, being chapter 120.

2. Section 1 of *The City of Ottawa Act, 1979*, being chapter 135.
3. Section 3 of *The City of Ottawa Act, 1980*, being chapter 118.

Commence
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. The short title of this Act is the *City of Ottawa Act, 1988*.

CHAPTER Pr48

An Act respecting the Charlotte Eleanor Englehart Hospital

Assented to December 15th, 1988

Whereas the Board of Trustees of Charlotte Eleanor Englehart Hospital hereby represents that the hospital was established under *An Act to confirm the acceptance of the Charlotte Eleanor Englehart Hospital by the Town of Petrolia*, being chapter 144 of the Statutes of Ontario, 1911; that the said Act was amended by the Statutes of Ontario, 1970, chapter 142; that it is desirable to establish a corporation under the name of Charlotte Eleanor Englehart Hospital in order that the hospital continue its operation as an incorporated entity and to permit the hospital corporation by by-law to determine the composition of the board of trustees; and whereas the hospital hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"Board" means the board of trustees of Charlotte Eleanor Englehart Hospital;

"hospital corporation" means Charlotte Eleanor Englehart Hospital incorporated under section 2.

2. The Charlotte Eleanor Englehart Hospital is established as a corporation without share capital and shall be composed of the persons who comprise its Board.

Corporation
established

3. Despite any provision in the will of the late Charlotte Eleanor Englehart, dated the 31st day of October, 1908, the absolute control and management of the hospital corporation is vested in the Board.

Management
of hospital
by Board

4.—(1) Subject to the *Public Hospitals Act*, and despite any provision in the will of the late Charlotte Eleanor Engle-

Composition
of Board
R.S.O. 1980,
c. 410

hart, dated the 31st day of October, 1908, the Board shall be composed of those members elected or appointed in such manner as the by-laws of the hospital corporation prescribe.

Adminis-
trative
by-laws

(2) All administrative matters respecting the Board including the term of office of the trustees and the filling of vacancies of the Board shall be established by by-law of the hospital corporation.

Powers

5. The Board has the power to operate the hospital and do all things necessary in connection therewith.

Transition

6.—(1) The members of the Board holding office immediately prior to the coming into force of this Act shall continue in office for the duration of the term for which they were appointed.

Transfer of
property

(2) All real and personal property owned by the hospital on the day this Act comes into force are vested in Charlotte Eleanor Englehart Hospital without the necessity of any grant, conveyance, transfer, assignment, or vesting thereof, but subject to all obligations, debts, mortgages, charges and liabilities affecting the hospital.

Idem

(3) All trusts, gifts, devises and bequests hereafter made to or in favour of or intended for Charlotte Eleanor Englehart Hospital shall be held and enjoyed by the hospital corporation.

Conflict

7. Where there is a conflict between a provision of *An Act to confirm the acceptance of the Charlotte Eleanor Englehart Hospital by the Town of Petrolia*, being chapter 144 of the Statutes of Ontario, 1911 and a provision of this Act, the provision of this Act prevails.

Commence-
ment

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. The short title of this Act is the *Charlotte Eleanor Englehart Hospital Act, 1988*.

CHAPTER Pr49

**An Act respecting the
Sarnia Kiwanis Foundation Inc.**

Assented to December 15th, 1988

Whereas the Sarnia Kiwanis Foundation Inc., herein called the Foundation, hereby represents that it was incorporated on the 25th day of January, 1985; that one of the objects of the Foundation is to operate a community centre commonly known as the Lochiel Kiwanis Centre; that the Foundation is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that it is desirable that provision be made to authorize the council of The Corporation of the City of Sarnia to exempt the real property leased by the Foundation that is used to operate the Lochiel Kiwanis Centre from taxation for municipal and school purposes, other than local improvement rates; and whereas the Foundation hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Sarnia may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Foundation, being the lands and premises described in the Schedule, so long as the land is occupied and used solely for the purposes of the Foundation.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

(3) A by-law passed under subsection (1) may be retroactive to the 1st day of January, 1987.

By-law may
be retroactive

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Sarnia Kiwanis Foundation Inc. Act, 1988*.

SCHEDULE

The land situate in the City of Sarnia, in the County of Lambton, more particularly described as follows:

Parts of lots 192, 193 and 217, and all of Lot 216 on the north side of Lochiel Street, part of lots 194, 195, 214 and 215 on the south side of Lochiel Street, and Part of Lot 218 on the west side of Forsythe Street, all according to Registered Plan Number 14 for the City of Sarnia, and that Part of Lochiel Street lying between the easterly limit of College Avenue and the westerly limit of Forsythe Street according to Registered Plan Number 14 for the City of Sarnia, now closed by By-law Number 872 of the City of Sarnia and registered as Instrument Number 30266 for the City of Sarnia, and now all designated as Part 1 on Plan 25R-4261 registered in the Land Registry Office for the County of Lambton.

CHAPTER Pr50

**An Act to revive
LaPlante Lithographing Company Limited**

Assented to December 15th, 1988

Whereas Harry Francis LaPlante, Harry Warner LaPlante and Barbara LaPlante hereby represent that LaPlante Lithographing Company Limited, herein called the Corporation, was incorporated by letters patent dated the 7th day of November, 1949; that the Minister of Consumer and Commercial Relations by order dated the 20th day of December, 1982, and made under the authority of section 242 of the *Business Corporations Act*, being chapter 54 of the Revised Statutes of Ontario, 1980, cancelled the certificate of incorporation for default in complying with the *Corporations Tax Act* and declared the Corporation to be dissolved on the 20th day of December, 1982; that Harry Francis LaPlante, Harry Warner LaPlante and Barbara LaPlante were all the directors and the holders of the common shares of the Corporation at the time of its dissolution; that the Corporation at the time of dissolution was inactive but that it is desirable to revive the Corporation so that it is able to preserve and pursue its interests in any assets it may have; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 97

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. LaPlante Lithographing Company Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts, as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is *LaPlante Lithographing Company Limited Act, 1988*.

CHAPTER Pr51

An Act to revive Rockton Winter Club Inc.*Assented to December 15th, 1988*

Whereas Donna Fochuk, Susan Rodgers, Meryle Frketich, Jane Vince, Janet Hunter, Debra Whatmough, Sarah Tucker, Joyce McGeachy, Anne Donkers, Fred Cooper, Linda Posthuma and Ruth Passant hereby represent that Rockton Winter Club Inc., herein called the Corporation, was incorporated by letters patent dated the 6th day of December, 1977; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, cancelled the certificate of incorporation of the Corporation for default in complying with section 5 of the *Corporations Information Act* and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants are members of the executive council of the on-going organization carried on in the name of the Corporation; that notice of default, although sent to each of the applicants as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 95R.S.O. 1980,
c. 96

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Rockton Winter Club Inc. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Rockton Winter Club Inc. Act, 1988*.

CHAPTER Pr52

**An Act respecting
The Peterborough Historical Society**

Assented to December 15th, 1988

Whereas The Peterborough Historical Society, herein called the Society, hereby represents that it was incorporated by letters patent dated the 10th day of May, 1977; that one of the objects of the Society is to hold, restore and maintain premises known as Hutchison House in the City of Peterborough as a living museum; that Hutchison House was built in 1836 as a private home, bequeathed to the Society in 1969 and is the only restored building left in the City of Peterborough from that period; that unique tours and educational programs are arranged with the curator of the House for school children and adults; that for the attainment of the above object the Society conducts and promotes fund-raising events and accepts grants, gifts and donations; that the Society is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that it is desirable that provision be made for exempting the real property owned by the Society and known municipally as 270 Brock Street in the City of Peterborough from taxation for municipal and school purposes, other than local improvement rates; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Peterborough may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act* or any portion thereof, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Society.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Peterborough Historical Society Act, 1988*.

SCHEDULE

The land and premises in the City of Peterborough, in the County of Peterborough, being composed of all those parts of lots 10 and 11 north of Brock Street and west of George Street lying south and west of the right-of-way of the Canadian National Railway as shown coloured pink on Registered Instrument Number 5409 for the Town of Peterborough, excepting therefrom the northerly 83 feet from front to rear thereof, and that part of Lot Number 11 described as follows:

COMMENCING at the southwest angle of Lot Number 11;

THENCE easterly along the southerly limit of Lot Number 11, 38 feet;

THENCE northerly parallel with the westerly limit of Lot Number 11, 100 feet;

THENCE westerly parallel with the southerly limit of Lot Number 11, 38 feet, more or less, to the westerly limit of Lot Number 11;

THENCE southerly along the westerly limit of Lot Number 11, 100 feet to the place of beginning.

CHAPTER Pr53

An Act to revive 288093 Ontario Limited*Assented to December 15th, 1988*

Whereas Ante Bebek, Mato Stojic and Anđelko Divić hereby Preamble
 represent that 288093 Ontario Limited, herein called the Corporation, was incorporated by articles of incorporation dated the 7th day of May, 1974; that the Minister of Consumer and Commercial Relations, by order dated the 2nd day of November, 1981, and made under the authority of subsection 251(3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act, 1972*, being chapter 143, and declared the Corporation to be dissolved on the 2nd day of November, 1981; that the applicants were all of the shareholders and directors of the Corporation at the time of its dissolution; that the applicants allowed the articles of incorporation to be dissolved through inadvertence; that the Corporation owned property in trust at the time of its dissolution; that the applicants wish to revive the Corporation in order that it may deal with its property it owns in trust; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. 288093 Ontario Limited is hereby revived and is subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved. Corporation revived
2. This Act comes into force on the day it receives Royal Assent. Commencement
3. The short title of this Act is the *288093 Ontario Limited Act, 1988*. Short title

CHAPTER Pr54

An Act to revive Tavone Enterprises Limited*Assented to December 15th, 1988*

Whereas Fernando Tavone hereby represents that Tavone Enterprises Limited, herein called the Corporation, was incorporated by articles of incorporation dated the 3rd day of December, 1982; that by order dated the 25th day of November, 1987 and made under the authority of section 239 of the *Business Corporations Act, 1982*, being chapter 4, the certificate of incorporation of the Corporation was cancelled for failure to comply with a request under section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and the Corporation dissolved on the 25th day of November, 1987; that the applicant was the sole director and holder of all the issued shares of the Corporation at the time of its dissolution; that the failure to comply with the said Act occurred by reason of inadvertence; that the Corporation, at the time of its dissolution, was carrying on active business and active business has continued to be carried on in the name of the Corporation since that time; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Tavone Enterprises Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Tavone Enterprises Limited Act, 1988*.

Short title

CHAPTER Pr55

**An Act respecting the
Kitchener and Waterloo Community Foundation**

Assented to December 15th, 1988

Whereas The Kitchener and Waterloo Community Foundation hereby applies for special legislation to amend the number of its directors from nine to a minimum of nine and a maximum of fifteen, with the actual number of directors to be fixed by by-law of The Kitchener and Waterloo Community Foundation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 6 and 7 of the *Kitchener-Waterloo Foundation Act, 1984*, being chapter Pr3, are repealed and the following substituted therefor:

6.—(1) The affairs of the Foundation shall be managed by the Board.

Board to manage affairs

(2) The Board shall be composed of not less than nine members and not more than fifteen members as determined by by-law of the Board.

Composition of Board

(3) The members of the Board shall be appointed by the nominating committee provided for in section 7.

Appointment by nominating committee

(4) No decrease in the number of directors shall shorten the term of any director.

Condition

(5) The members shall be appointed so that, as nearly as may be, the term of one-third of the members of the Board expires each year.

Rotation of directors

(6) Members of the Board shall serve without remuneration but are entitled to reimbursement of reasonable expenses.

Remuneration

- Term (7) Subject to subsection (5), the members of the Board shall be appointed for three years.
- Reappoint-
ment (8) Members of the Board are eligible for reappointment to not more than two consecutive terms but may be reappointed after one year has elapsed from the time the member ceased to hold office.
- Vacancies (9) A vacancy arising in the membership of the Board by reason of death, resignation or any other cause, other than the expiration of a term of office, shall be filled by the nominating committee for the unexpired portion of the term of office.
- Idem (10) A vacancy arising in the membership of the Board by reason of an increase in the number of directors or the expiration of a term of office shall be filled by appointment by the nominating committee.
- Composition
of
nominating
committee **7.—**(1) The nominating committee shall consist of the persons holding the following offices:
1. The Mayor of the City of Kitchener.
 2. The Mayor of the City of Waterloo.
 3. The Senior Judge of the District Court of the Judicial District of Waterloo.
 4. The President of the Kitchener Chamber of Commerce.
 5. The President of the Waterloo Chamber of Commerce.
 6. The President of the United Way of Kitchener-Waterloo and Area.
- Idem (2) If a person holding any of the offices referred to in subsection (1) is unable or unwilling to act as a member of the nominating committee, the other members of the nominating committee shall appoint another person to act as a member during the period in which the original member is unable or unwilling to act.
- Meetings of
nominating
committee (3) The nominating committee shall meet annually or more often upon the call of the secretary of the Board, if any, or upon the call of the chairperson of the nominating committee whenever it is necessary to fill a vacancy on the Board.

(4) The nominating committee may make such rules governing its procedure, including the appointment of a chairperson, as it considers advisable. Procedure

(5) A quorum of the nominating committee for any meeting shall be not less than three of its members present in person, and a majority vote of all the members of the nominating committee is required for the appointment of a member of the Board. Quorum

(6) If the nominating committee fails to appoint a person to fill a vacancy in the membership of the Board within ninety days after the vacancy occurs, the remaining members of the Board may fill the vacancy. Failure of nominating committee

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. The short title of this Act is the *Kitchener-Waterloo Foundation Act, 1988*. Short title

CHAPTER Pr56

An Act to revive Ariann Developments Inc.*Assented to December 15th, 1988*

Preamble

Whereas Mala Logan hereby represents that Ariann Developments Inc., herein called the Corporation, was incorporated by articles of incorporation dated the 24th day of December, 1975; that the Minister of Consumer and Commercial Relations by order dated the 25th day of April, 1988, made under the authority of section 239 of the *Business Corporations Act*, 1982, being chapter 4, cancelled the certificate of incorporation of the Corporation for failure to comply with a request under section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980; that the applicant was the sole director and holder of the common shares of the Corporation at the time of its dissolution; that the request to comply with section 5 of the *Corporations Information Act*, although sent to the applicant as director, was not received by her until she acquired knowledge of the order cancelling the certificate of incorporation; that the Corporation at the time of its dissolution was carrying on active business and active business has continued to be carried on in the name of the Corporation since the time of its dissolution; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Ariann Developments Inc. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts, as of the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Ariann Developments Inc. Act*, 1988.

Short title

CHAPTER Pr57

An Act to revive George A. McNamara Memorial Foundation

Assented to December 15th, 1988

Whereas Paul McNamara, Jo-Anne Scott, Karen Cromer and Paul Blair McNamara, hereby represent that George A. McNamara Memorial Foundation, herein called the Corporation, was incorporated by letters patent dated the 18th day of July, 1956; that the Minister of Consumer and Commercial Relations by order dated the 17th day of July, 1979 and made under the authority of subsection 347 (9) of *The Corporations Act*, being chapter 89 of the Revised Statutes of Ontario, 1970, cancelled the letters patent of the Corporation for default in complying with section 5 of *The Corporations Information Act, 1976*, being chapter 66, and declared the Corporation to be dissolved on the 17th day of July, 1979; that notice of the default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that Paul McNamara is the chairperson of the ongoing organization carried on in the name of the Corporation and all the applicants are directors thereof; that none of the applicants was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was operating a charitable foundation authorized by its letters patent and since that time the charitable functions of the Corporation have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. George A. McNamara Memorial Foundation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as

Revival

of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *George A. McNamara Memorial Foundation Act, 1988*.

CHAPTER Pr58

An Act respecting the City of Sault Ste. Marie

Assented to December 15th, 1988

Whereas The Corporation of the City of Sault Ste. Marie, herein called the municipal corporation, hereby represents that Cherokee Disposals & Construction Limited, a private Ontario corporation, owns and operates a sanitary landfill site in Sault Ste. Marie; that the municipal corporation wishes to acquire the assets or the shares of Cherokee Disposals & Construction Limited; that there are certain advantages to the shareholders of Cherokee Disposals & Construction Limited if the acquisition is by the transfer of shares; that the municipal corporation hereby applies for special legislation authorizing the purchase of the shares; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The municipal corporation may pass by-laws authorizing it to acquire all the issued and outstanding shares of Cherokee Disposals & Construction Limited.

Acquisition of shares of corporation by City

2. Any shares acquired by the municipal corporation pursuant to a by-law passed under section 1 shall be held in the name of The Corporation of the City of Sault Ste. Marie.

How shares to be held

3. After acquiring the shares in Cherokee Disposals & Construction Limited, the municipal corporation shall immediately begin proceedings to dissolve Cherokee Disposals & Construction Limited in accordance with the *Business Corporations Act, 1982* and shall conclude those proceedings as soon as possible.

Dissolution of corporation
1982, c. 4

4. This Act comes into force on the day it receives Royal Assent.

Commencement

5. The short title of this Act is the *City of Sault Ste. Marie Act, 1988*.

Short title

TABLE OF PUBLIC STATUTES

Showing all Acts contained in the Revised Statutes of Ontario, 1980 and all other Public Acts enacted in 1981, 1982, 1983, 1984, 1985, 1986, 1987 and 1988, together with amendments and repeals.

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
A			
Abandoned Orchards Act	1		
Absconding Debtors Act	2		
Absentees Act	3		1986,c. 64,s. 1.
Accidental Fires Act	4		
Accumulations Act	5		
Administration of Justice Act	6		
Adoption Disclosure Statute Law Amendment Act, 1987		1987,c. 4	
Age of Majority and Accountability Act	7		
Agricultural and Horticultural Organizations Act, 1988		1988,c. 60	
Agricultural Associations Act	8		1988,c. 60,s. 42,rep.
Agricultural Committees Act	9		
Agricultural Development Finance Act	10		
Agricultural Rehabilitation and Development Act (Ontario)	11		
Agricultural Representatives Act	12		
Agricultural Research Institute of Ontario Act	13		
Agricultural Societies Act	14		1982,c. 51; 1988,c. 60, s. 42,rep.
Agricultural Tile Drainage Installation Act	15		
Airports Act	16		
Alcoholism and Drug Addiction Research Foundation Act	17		
Algonquin Forestry Authority Act	18		
Aliens' Real Property Act	19		
Ambulance Act	20		
Amusement Devices Act, 1986		1986,c. 6	
Anatomy Act	21		
Animals for Research Act	22		
Apportionment Act	23		
Apprenticeship and Tradesmen's Qualification Act	24		1986,c. 64,s. 2.
Arbitrage commercial international, Loi de 1988 sur l'		1988,c. 30	
(International Commercial Arbitration Act, 1988)			
Arbitrations Act	25		1984,c. 11,s. 161.
Arboreal Emblem Act, 1984		1984,c. 7	
Architects Act	26		1984,c. 12,rep.
Architects Act, 1984		1984,c. 12	1987,c. 13.
Archives Act	27		
Art Gallery of Ontario Act	28		
Artificial Insemination of Live Stock Act	29		
Arts Council Act	30		
Assessment Act	31		1981,c. 47; 1982,c. 40,s. 3 and c. 56; 1983,c. 58; 1984, c. 28,c. 48,s. 22 and c. 49; 1985,c. 9; 1986,c. 69 and c. 71; 1988,c. 20,ss. 17-22 and c. 47,s. 80.

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Assessment Appeals Procedure Statute Law Amendment Act, 1982 . . . . .	...	1982, c. 40	
Assessment Review Board Act	32		1982, c. 40, s. 1.
Assessment Review Court Act (See now Assessment Review Board Act)			
Assignments and Preferences Act	33		
Athletics Control Act	34		
Audit Act	35		
B			
Bail Act	36		
Bailiffs Act	37		1984, c. 11, s. 162.
Barrie-Innisfil Annexation Act, 1981 . . . . .	...	1981, c. 63	
Barrie-Vespra Annexation Act, 1984 . . . . .	...	1984, c. 41	
Barristers Act	38		
Beach Protection Act	39		
Beds of Navigable Waters Act	40		
Beef Cattle Marketing Act	41		1987, c. 28.
Bees Act	42		1987, c. 31, s. 26, rep.
Bees Act, 1987 . . . . .	...	1987, c. 31	
Bills of Sale Act	43		
Blind Persons' Rights Act	44		
Blind Workmen's Compensation Act	45		
Boilers and Pressure Vessels Act	46		1983, c. 33.
Boundaries Act	47		
Brantford-Brant Annexation Act, 1980 . . . . .	...	1980, c. 43	1982, c. 48.
Bread Sales Act	48		
Bridges Act	49		1985, c. 5, s. 1.
Brucellosis Act	50		
Building Code Act	51		1983, c. 83.
Bulk Sales Act	52		
Bull Owners' Liability Act	53		
Business Corporations Act	54		1981, c. 66, Sched.; 1982, c. 4, rep.
Business Corporations Act, 1982 . . . . .	...	1982, c. 4	1986, c. 57 and c. 64, s. 3.
Business Practices Act	55		
Business Records Protection Act	56		
C			
Canadian Insurance Exchange Act, 1986 . . . . .	...	1986, c. 70	
Cancer Act	57		
Cancer Remedies Act	58		
Capital Aid Corporations Repeal Act, 1985 . . . . .	...	1985, c. 14	
Cemeteries Act	59		
Centennial Centre of Science and Technology Act	60		
Central Trust Company Act, 1983 . . . . .	...	1983, c. 64	
Centre des congrès d'Ottawa, Loi de 1988 sur le (Ottawa Congress Centre Act, 1988)	...	1988, c. 53	
Certification of Titles Act	61		1982, c. 38.
Change of Name Act	62		1986, c. 7, s. 14, rep.
Change of Name Act, 1986 (Loi de 1986 sur le changement de nom)	...	1986, c. 7	
Changement de nom, Loi de 1986 sur le (Change of Name Act, 1986)	...	1986, c. 7	
Charitable Gifts Act	63		

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Charitable Institutions Act	64		1984, c. 55, s. 207.
Charities Accounting Act	65		1982, c. 11; 1983, c. 61.
Child and Family Services Act, 1984		1984, c. 55	1987, c. 4, ss. 1-11; 1988, c. 36.
Child Welfare Act	66		1981, c. 66, Sched.; 1983, c. 8, s. 17; 1984, c. 19, s. 9 and c. 55, s. 208, rep. (but see 1984, c. 19, s. 9 (4), (5)).
(See now Child and Family Services Act, 1984)			1984, c. 55, s. 209, rep.
Children's Institutions Act	67		
(See now Child and Family Services Act, 1984)			
Children's Law Reform Act	68		1982, c. 20, s. 1; 1984, c. 11, s. 163; 1986, c. 8 and c. 64, s. 4; 1987, c. 1, s. 10.
Children's Mental Health Services Act	69		1984, c. 55, s. 211, rep.
(See now Child and Family Services Act, 1984)			
Children's Probation Act	70		1984, c. 19, s. 10, rep.
(See now Young Offenders Implementation Act, 1984 and Child and Family Services Act, 1984, Part IV (Young Offenders))			
Children's Residential Services Act	71		1984, c. 55, s. 210, rep.
(See now Child and Family Services Act, 1984)			
Chiropractic Act	72		
City of Toronto 1981 Assessment Complaints Act, 1982		1982, c. 8	
Collection Agencies Act	73		1983, c. 32.
Colleges Collective Bargaining Act	74		
Colleges of Applied Arts and Technology Labour Dispute Settlement Act, 1984		1984, c. 43	
Commissioners for taking Affidavits Act	75		
Commodity Board Members Act	76		
Commodity Boards and Marketing Agencies Act	77		
Commodity Futures Act	78		1985, c. 5, s. 2.
Community Psychiatric Hospitals Act	79		
Community Recreation Centres Act	80		
Commuter Services Act	81		
Compagnies de prêt et de fiducie, Loi de 1987 sur les		1987, c. 33	
(Loan and Trust Corporations Act, 1987)			
Compensation for Victims of Crime Act	82		1986, c. 37 and c. 64, s. 5.
Compulsory Automobile Insurance Act	83		1988, c. 18, s. 32.
Condominium Act	84		1983, c. 67, s. 7.
Conflits d'intérêts des membres de l'Assemblée, Loi de 1988 sur les		1988, c. 17	
(Members' Conflict of Interest Act, 1988)			
Conseil scolaire de langue française d'Ottawa- Carleton, Loi de 1988 sur le		1988, c. 47	
(Ottawa-Carleton French-Language School Board Act, 1988)			
Conservation Authorities Act	85		1983, c. 8, s. 20.
Conservation Land Act, 1988		1988, c. 41	
Consolidated Hearings Act, 1981		1981, c. 20	1988, c. 71, s. 17.
Constitutional Questions Act	86		1984, c. 11, s. 164, rep.
(See now Courts of Justice Act, 1984)			
Construction Lien Act, 1983		1983, c. 6	1983, c. 77; 1984, c. 11, s. 165.
Consumer Protection Act	87		
Consumer Protection Bureau Act	88		

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Consumer Reporting Act	89		1988, c. 40.
Conveyancing and Law of Property Act	90		1981, c. 66, Sched.; 1984, c. 32, s. 17; 1986, c. 64, s. 6.
Co-operative Corporations Act	91		1981, c. 61; 1986, c. 64, s. 7.
Co-operative Health Services of Ontario Assets Protection Act, 1981 . . . . .	...	1981, c. 7	
Co-operative Loans Act	92		
Coroners Act	93		1984, c. 11, s. 166 and c. 55, s. 212; 1986, c. 64, s. 8.
Corporation Securities Registration Act	94		
Corporations Act	95		1984, c. 14, s. 26; 1986, c. 64, s. 9 and c. 70, s. 33.
Corporations Information Act	96		1982, c. 23; 1984, c. 3.
Corporations Tax Act	97		1981, c. 37; 1982, c. 19; 1983, c. 29; 1984, c. 29; 1985, c. 11; 1986, c. 33, s. 57 and c. 39; 1988, c. 42.
Costs of Distress Act	98		
County Court Judges' Criminal Courts Act (See now Courts of Justice Act, 1984)	99		1984, c. 11, s. 167, rep.
County Courts Act	100		1981, c. 24; 1984, c. 1 and c. 11, s. 168, rep.
County Judges Act (See now Courts of Justice Act, 1984)	101		1984, c. 11, s. 169, rep.
Courts of Justice Act, 1984 . . . . .	...	1984, c. 11	1984, c. 19, s. 11 (2), c. 55, s. 213 and c. 64; 1985, c. 1, s. 4; 1986, c. 7, s. 15; 1987, c. 1; 1988, c. 69.
Credit Unions and Caisses Populaires Act	102		1981, c. 62; 1983, c. 46; 1986, c. 64, s. 10.
Creditors' Relief Act	103		1985, c. 1 and c. 6, s. 15.
Crop Insurance Act (Ontario)	104		1983, c. 54.
Crown Administration of Estates Act	105		
Crown Agency Act	106		
Crown Attorneys Act	107		1984, c. 11, s. 170.
Crown Employees Collective Bargaining Act	108		1984, c. 55, s. 214.
Crown Timber Act	109		1986, c. 64, s. 11.
Crown Trust Company Act, 1983 . . . . .	...	1983, c. 7	
Crown Witnesses Act	110		
D			
Dangerous Goods Transportation Act, 1981 . . . . .	...	1981, c. 69	
Day Nurseries Act	111		1984, c. 55, s. 215; 1987, c. 4, s. 12.
Dead Animal Disposal Act	112		
Debt Collectors Act	113		
Degree Granting Act, 1983 . . . . .	...	1983, c. 36	
Dental Technicians Act	114		
Denture Therapists Act	115		
Deposits Regulation Act	116		
Destruction des mauvaises herbes, Loi de 1988 sur la . . . . .	...	1988, c. 51	
(Weed Control Act, 1988)			

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Development Corporations Act	117		1982, c. 30 and c. 31, s. 15.
Developmental Services Act	118		1984, c. 11, s. 171.
Discriminatory Business Practices Act	119		
Disorderly Houses Act	120		1984, c. 11, s. 172.
District Municipality of Muskoka Act	121		1982, c. 5; 1983, c. 5, s. 12 and c. 65; 1984, c. 45, s. 14; 1986, c. 48; 1988, c. 31, s. 18.
District of Parry Sound Local Government Act, 1979		1979, c. 61	1982, c. 34.
District Welfare Administration Boards Act	122		
Dog Licensing and Live Stock and Poultry Protection Act	123		1981, c. 31.
Dog Owners' Liability Act	124		
Dominion Courts Act	125		1984, c. 11, s. 173, rep.
(See now Courts of Justice Act, 1984, s. 155)			
Dower and Miscellaneous Abolition Act	152		1982, c. 20, s. 3; 1983, c. 60; 1984, c. 11, s. 179 and c. 32, s. 18; 1986, c. 4, s. 71.
Drainage Act	126		
Droit de la famille, Loi de 1986 sur le (Family Law Act, 1986)		1986, c. 4	1986, c. 35.
Drugless Practitioners Act	127		
E			
Edible Oil Products Act	128		
Education Act	129		1981, c. 47, ss. 17 to 21; 1982, c. 20, s. 2 and c. 32; 1984, c. 48, s. 21, c. 55, s. 216 and c. 60; 1986, c. 19, s. 2, c. 21, c. 29 and c. 64, s. 12; 1987, c. 17, s. 3; 1988, c. 23, s. 8, c. 27, ss. 1-28, c. 46 and c. 47, s. 81.
Education Statute Law Amendment Act, 1988		1988, c. 27	
Egress from Public Buildings Act	130		
Elderly Persons Centres Act	131		
Elderly Persons' Housing Aid Act	132		
Election Act	133		1984, c. 54, rep.
Election Act, 1984		1984, c. 54	1986, c. 33, s. 59 and c. 64, s. 13.
Election Finances Act, 1986		1986, c. 33	1987, c. 5; 1988, c. 16.
Election Finances Reform Act	134		1986, c. 33, s. 56, rep.
Elevating Devices Act	135		
Emergency Plans Act, 1983		1983, c. 30	
Employee Share Ownership Plan Act, 1988		1988, c. 3	
Employment Agencies Act	136		
Employment Standards Act	137		1981, c. 22; 1983, c. 55; 1984, c. 31; 1986, c. 51 and c. 64, s. 14; 1987, c. 30; 1988, c. 7.
Endangered Species Act	138		
Energy Act	139		1981, c. 66, Sched.
Energy Efficiency Act, 1988		1988, c. 32	
English and Wabigoon River Systems Mercury Contamination Settlement Agreement Act, 1986		1986, c. 23	
Environment Enforcement Statute Law Amendment Act, 1986		1986, c. 68	

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Environment Statute Law Amendment Act, 1988 . . .	140	1988, c. 54	1988, c. 71, s. 18.
Environmental Assessment Act	141		1981, c. 49; 1983, c. 52; 1986, c. 68, ss. 1 to 17; 1988, c. 54, ss. 1-50 and c. 71, s. 19.
Environmental Protection Act			
Equality Rights Statute Law Amendment Act, 1986		1986, c. 64	1987, c. 6, s. 47, c. 14 and c. 33, s. 230.
Équité salariale, Loi de 1987 sur l'		1987, c. 34	
(Pay Equity Act, 1987)			
Escheats Act	142		
Estates Administration Act	143		1983, c. 23; 1984, c. 11, s. 174.
Estreats Act	144		1984, c. 11, s. 175, rep.
(See now Courts of Justice Act, 1984)			
Evidence Act	145		1984, c. 11, s. 176.
Execution Act	146		1984, c. 11, s. 177; 1986, c. 64, s. 15; 1988, c. 37.
Exécution d'ordonnances alimentaires et de garde d'enfants, Loi de 1985 sur l'		1985, c. 6	
(Support and Custody Orders Enforcement Act, 1985)			
Executive Council Act	147		1981, c. 28; 1983, c. 49; 1984, c. 35; 1985, c. 19; 1986, c. 73; 1988, c. 15.
Expropriations Act	148		1983, c. 47.
Extra-Judicial Services Act	149		1984, c. 11, s. 178, rep.
(See now Courts of Justice Act, 1984, s. 99)			
Extra-Provincial Corporations Act, 1984		1984, c. 14	
F			
Factors Act	150		
Family Benefits Act	151		
Family Law Act, 1986		1986, c. 4	1986, c. 35.
(Loi de 1986 sur le droit de la famille)			
Family Law Reform Act			
(See now Family Law Act, 1986 and Dower and Miscellaneous Abolition Act)			
Farm Implements Act, 1988		1988, c. 61	
Farm Income Stabilization Act	153		
Farm Loans Act	154		1987, c. 3, s. 1, rep.
Farm Loans Adjustment Act	155		1987, c. 3, s. 1, rep.
Farm Loans and Farm Loans Adjustment Repeal Act, 1987		1987, c. 3	
Farm Practices Protection Act, 1988		1988, c. 62	
Farm Products Containers Act	156		1982, c. 53, rep.
Farm Products Containers Act, 1982		1982, c. 53	1988, c. 68, s. 8, rep.
Farm Products Containers Act, 1988		1988, c. 68	
Farm Products Grades and Sales Act	157		1984, c. 40.
Farm Products Marketing Act	158		1988, c. 13, s. 2.
Farm Products Payments Act	159		1984, c. 39.
Ferries Act	160		
Financial Administration Act	161		1981, c. 66, Sched.; 1984, c. 37; 1988, c. 34.

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Fines and Forfeitures Act	162		1984, c. 11, s. 180.
Fire Accidents Act	163		
Fire Departments Act	164		
Fire Fighters Exemption Act	165		
Fire Marshals Act	166		1981, c. 8.
Fish Inspection Act	167		
Fisheries Loans Act	168		
Flag Act	169		
Floral Emblem Act	170		
Fluoridation Act	171		
Fonds du patrimoine du Nord de l'Ontario, Loi de 1988 sur le		1988, c. 25	
(Northern Ontario Heritage Fund Act, 1988)			
Foreign Arbitral Awards Act, 1986		1986, c. 25	1988, c. 30, s. 14, rep.
(Loi de 1986 sur les sentences arbitrales étrangères)			
Foreign Cultural Objects Immunity from Seizure Act	172		
Forest Fires Prevention Act	173		1986, c. 64, s. 16.
Forest Tree Pest Control Act	174		
Forestry Act	175		
Fraudulent Conveyances Act	176		
Fraudulent Debtors Arrest Act	177		1986, c. 64, s. 17.
Freedom of Information and Protection of Privacy Act, 1987		1987, c. 25	
French Language Services Act, 1986		1986, c. 45	
(Loi de 1986 sur les services en français)			
Freshwater Fish Marketing Act (Ontario)	178		
Frustrated Contracts Act	179		
Fuel Tax Act, 1981		1981, c. 59	1982, c. 1; 1983, c. 16; 1985, c. 23.
Funeral Services Act	180		1985, c. 5, s. 3.
Fur Farms Act	181		
G			
Game and Fish Act	182		
Gaming Act	183		
Gas and Oil Leases Act	184		
Gasoline Handling Act	185		1988, c. 49.
Gasoline Tax Act	186		1981, c. 11; 1985, c. 24; 1988, c. 66.
General Sessions Act	187		1984, c. 11, s. 181, rep.
(See now Courts of Justice Act, 1984)			
General Welfare Assistance Act	188		
Geographic Township of Hansen Act, 1986		1986, c. 52	
George R. Gardiner Museum of Ceramic Art Act, 1981		1981, c. 64	
Gold Clauses Act	189		1986, c. 44, rep.
Government Contracts Hours and Wages Act	190		
Grain Corn Marketing Act, 1984		1984, c. 26	
Grain Elevator Storage Act	191		1983, c. 40, rep.
Grain Elevator Storage Act, 1983		1983, c. 40	1988, c. 67.
Guarantee Companies Securities Act	192		
H			
Habeas Corpus Act	193		1984, c. 11, s. 182.
Hainburton Act	194		1982, c. 57, rep.

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Haliburton (County of) Act, 1982	195	1982, c. 57	1984, c. 45, s. 16.
Healing Arts Radiation Protection Act	196	1986, c. 20	1984, c. 9.
Health Care Accessibility Act, 1986	196		1983, c. 59; 1986, c. 28, s. 15 and c. 34.
Health Disciplines Act			1987, c. 21.
Health Facilities Special Orders Act, 1983	197	1983, c. 43	1984, c. 55, s. 217; 1986, c. 20, s. 10.
Health Insurance Act			1984, c. 55, s. 227; 1987, c. 18 and c. 32.
Health Protection and Promotion Act, 1983		1983, c. 10	1981, c. 48, c. 54 and c. 72; 1982, c. 15 and c. 28; 1983, c. 63; 1984, c. 11, s. 183, c. 21 and c. 61; 1985, c. 13; 1988, c. 44.
Highway Traffic Act	198		1986, c. 58.
Historical Parks Act	199		1984, c. 55, s. 218.
Homemakers and Nurses Services Act	200		
Homes for Retarded Persons Act	201		
Homes for Special Care Act	202		
Homes for the Aged and Rest Homes Act	203		
Horticultural Societies Act	204		1982, c. 52; 1988, c. 60, s. 42, rep.
Hospital Labour Disputes Arbitration Act	205		
Hospitals and Charitable Institutions Inquiries Act	206		
Hotel Fire Safety Act	207		
Hotel Registration of Guests Act	208		
Housing Development Act	209		
Human Rights Code, 1981		1981, c. 53	1984, c. 58, s. 39; 1986, c. 64, s. 18.
Human Tissue Gift Act	210		1986, c. 64, s. 19.
Hunter Damage Compensation Act	211		
Hypnosis Act	212		
I			
IDEA Corporation Act, 1981		1981, c. 34	
Immunization of School Pupils Act, 1982		1982, c. 41	1983, c. 76; 1984, c. 62.
Income Tax Act	213		1981, c. 13 and c. 46; 1983, c. 37; 1984, c. 50; 1985, c. 12; 1986, c. 33, s. 58 and c. 40; 1987, c. 27; 1988, c. 73.
Indian Welfare Services Act	214		
Industrial and Mining Lands Compensation Act	215		
Industrial Standards Act	216		
Inflation Restraint Act, 1982		1982, c. 55	1987, c. 2, s. 1, rep.
Inflation Restraint and Public Sector Prices and Compensation Review Repeal Act, 1987		1987, c. 2	
Innkeepers Act	217		
Insurance Act	218		1985, c. 5, s. 4; 1986, c. 67 and c. 70, s. 32; 1987, c. 8.
International Bridges Municipal Payments Act, 1981		1981, c. 60	
International Commercial Arbitration Act, 1988		1988, c. 30	
(Loi de 1988 sur l'arbitrage commercial international)			
International Sale of Goods Act, 1988		1988, c. 45	
(Loi de 1988 sur la vente internationale de marchandises)			

Title of Act	CITATION		Amendments and Repeals to end of 1988	
	R.S.O. 1980 Chap.	Other		
Interpretation Act	219	1988, c. 71	1984, c. 11, s. 184.	
Interprovincial Subpoenas Act	220		1984, c. 11, s. 185.	
Intervenor Funding Project Act, 1988 (Loi de 1988 sur le projet d'aide financière aux intervenants)	...			
Investment Contracts Act	221			
J				
Judges' Orders Enforcement Act	222	1984, c. 32	1984, c. 11, s. 186, rep.	
Judicature Act	223		1981, c. 23; 1983, c. 3 and c. 78, s. 1; 1984, c. 11, s. 187, rep.	
(See now Courts of Justice Act, 1984)			1984, c. 11, s. 188.	
Judicial Review Procedure Act	224		1986, c. 64, s. 20.	
Junior Farmer Establishment Act	225		1981, c. 47, s. 22; 1984, c. 11, s. 189; 1986, c. 64, s. 21.	
Juries Act	226		1984, c. 8; 1986, c. 64, s. 22.	
Justices of the Peace Act	227			
L				
Laboratory and Specimen Collection Centre Licensing Act	409		1984, c. 32	1981, c. 66, Sched.; 1983, c. 10, s. 111 (1) and (2).
Labour Relations Act	228			1983, c. 42; 1984, c. 34; 1986, c. 17 and c. 64, s. 23.
Lakes and Rivers Improvement Act	229			
Land Registration Reform Act, 1984 . . . . .	...		
Land Titles Act	230	1982, c. 47; 1984, c. 11, s. 190 and c. 32, s. 19; 1986, c. 26, s. 12 and c. 61.		
Land Transfer Tax Act	231	1983, c. 20; 1985, c. 21.		
Landlord and Tenant Act	232	1981, c. 66, Sched.; 1983, c. 24; 1986, c. 64, s. 24; 1987, c. 23.		
(See also Residential Tenancies Act)				
Law Society Act	233	1982, c. 60; 1986, c. 64, s. 25.		
Legal Aid Act	234	1986, c. 43 and c. 64, s. 26.		
Legislative Assembly Act	235	1981, c. 29; 1982, c. 43; 1983, c. 50; 1984, c. 36 and c. 54, s. 117; 1985, c. 18; 1986, c. 64, s. 27 and c. 72; 1988, c. 14 and c. 72.		
Legislative Assembly Retirement Allowances Act	236	1984, c. 17; 1985, c. 20; 1986, c. 64, s. 28.		
Libel and Slander Act	237	1984, c. 11, s. 191; 1986, c. 64, s. 29.	1984, c. 11, s. 191; 1986, c. 64, s. 29.	
Lieutenant Governor Act	238			
Lightning Rods Act	239		1985, c. 5, s. 5.	
Limitations Act	240			
Limited Partnerships Act	241			
Line Fences Act	242		1986, c. 47.	
Liquor Control Act	243		1986, c. 59.	
Liquor Licence Act	244		1981, c. 1 and c. 66, Sched.; 1984, c. 4; 1986, c. 60.	
Live Stock and Live Stock Products Act	245		1984, c. 27.	
Live Stock Branding Act	246		1981, c. 36.	
Live Stock Community Sales Act	247	1981, c. 40.		
Live Stock Medicines Act	248			

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Loan and Trust Corporations Act	249		1982,c. 62; 1986,c. 64,s. 30; 1987,c. 33,s. 230,rep.
Loan and Trust Corporations Act, 1987 (Loi de 1987 sur les compagnies de prêt et de fiducie)		1987,c. 33	
Local Improvement Act	250		1982,c. 40,s. 5; 1987,c. 10,s. 37.
Local Roads Boards Act	251		
Local Services Boards Act	252		
Lord's Day (Ontario) Act	253		1986,c. 64,s. 31,rep.
M			
Management Board of Cabinet Act	254		
Marathon (Township of) Land Act, 1984		1984,c. 53	
Marine Insurance Act	255		1984,c. 11,s. 192.
Marriage Act	256		
Massey-Ferguson Limited Act, 1981		1981,c. 3	
Master and Servant Act	257		
Matrimonial Causes Act	258		1984,c. 11,s. 193,rep.
(See now Courts of Justice Act, 1984)			
McMichael Canadian Collection Act	259		1982,c. 3; 1986,c. 64,s. 32.
Meat Inspection Act (Ontario)	260		
Mechanics' Lien Act	261		1983,c. 6,s. 91.
(See also Construction Lien Act, 1983)			
Members' Conflict of Interest Act, 1988		1988,c. 17	
(Loi de 1988 sur les conflits d'intérêts des membres de l'Assemblée)			
Mental Health Act	262		1981,c. 66,Sched.; 1983,c. 75; 1984,c. 11,s. 194; 1986,c. 64, s. 33; 1987,c. 37.
Mental Hospitals Act	263		1986,c. 64,s. 34.
Mental Incompetency Act	264		1984,c. 11,s. 195; 1986, c. 64,s. 35.
Mercantile Law Amendment Act	265		
Metropolitan Police Force Complaints Project Act, 1981		1981,c. 43	1984,c. 63,rep.
Metropolitan Toronto Convention Centre Corporation Act, 1988		1988,c. 52	
Metropolitan Toronto Police Force Complaints Act, 1984		1984,c. 63	1986,c. 31.
Milk Act	266		1981,c. 18 and c. 56; 1984,c. 25; 1988,c. 13,s. 3.
Mineral Emblem Act	267		
Mining Act	268		1988,c. 48.
Mining Tax Act	269		1987,c. 11; 1988,c. 43.
Ministry of Agriculture and Food Act	270		1982,c. 54; 1988,c. 13,s. 1.
Ministry of Agriculture and Food Statute Law Amendment Act, 1988		1988,c. 13	
Ministry of the Attorney General Act	271		
Ministry of Citizenship and Culture Act, 1982		1982,c. 6	
Ministry of Colleges and Universities Act	272		1987,c. 33,s. 228; 1988,c. 11.
Ministry of Community and Social Services Act	273		1981,c. 39; 1984,c. 55,s. 220.
Ministry of Consumer and Commercial Relations Act	274		1981,c. 57; 1984,c. 5.
Ministry of Correctional Services Act	275		1984,c. 55,s. 221 and c. 66.

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Ministry of Culture and Recreation Act (<i>See now</i> Ministry of Citizenship and Culture Act, 1982 and Ministry of Tourism and Recreation Act, 1982)	276		1982,c. 6,s. 15,rep.
Ministry of Energy Act	277		1984,c. 15.
Ministry of the Environment Act	278		
Ministry of Government Services Act	279		1983,c. 35.
Ministry of Health Act	280		
Ministry of Housing Act (<i>See now</i> Ministry of Municipal Affairs and Housing Act, 1981)	281		1981,c. 19,s. 16,rep.
Ministry of Industry and Tourism Act (<i>See now</i> Ministry of Industry and Trade Act, 1982 and Ministry of Tourism and Recreation Act, 1982)	282		1982,c. 31,s. 16,rep.
Ministry of Industry and Trade Act, 1982		1982,c. 31	
Ministry of Intergovernmental Affairs Act	283		1981,c. 19,s. 15.
Ministry of Labour Act	284		
Ministry of Municipal Affairs and Housing Act, 1981		1981,c. 19	1984,c. 45,s. 17.
Ministry of Natural Resources Act	285		
Ministry of Northern Affairs Act	286		
Ministry of Revenue Act	287		1988,c. 4.
Ministry of the Solicitor General Act	288		
Ministry of Tourism and Recreation Act, 1982		1982,c. 7	
Ministry of Transportation and Communications Act	289		
Ministry of Transportation and Communications Creditors Payment Act	290		
Ministry of Treasury and Economics Act	291		
Minors Act	292		1982,c. 20,s. 4,rep.
Minors' Protection Act	293		
Mobility Rights Statute Law Amendment Act, 1985		1985,c. 5	1987,c. 6,s. 47.
Moosonee Development Area Board Act	294		
Mortgage Brokers Act	295		
Mortgages Act	296		1981,c. 66,Sched.; 1984,c. 11, s. 196 and c. 32,s. 20. 1982,c. 12,s. 1,rep.
Mortmain and Charitable Uses Act (<i>See now</i> R.S.O. 1980,c. 65)	297		
Motor Vehicle Accident Claims Act	298		1981,c. 66,Sched.; 1983,c. 12.
Motor Vehicle Dealers Act	299		1983,c. 31.
Motor Vehicle Fuel Tax Act (<i>See now</i> Fuel Tax Act, 1981)	300		1981,c. 12 and c. 59,s. 32,rep.
Motor Vehicle Repair Act, 1988		1988,c. 38	
Motorized Snow Vehicles Act	301		1981,c. 42; 1982,c. 13; 1986,c. 64,s. 36. 1981,c. 47,s. 23 and c. 70, s. 23; 1982,c. 24, c. 40,s. 4 and c. 50; 1983,c. 5,s. 1, c. 8,s. 16 and c. 41; 1984, c. 45, s. 18,c. 48,s. 20, c. 55,s. 222 and c. 56,s. 23; 1986,c. 14,c. 24,c. 47,s. 14 and c. 64,s. 37; 1987,c. 10, ss. 1-36 and c. 17,ss. 1,2; 1988,c. 31,ss. 1-16 and c. 33,ss. 13,14
Municipal Act	302		

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R S O 1986 Chap	Other	
Municipal Affairs Act	303		1984, c. 48, s. 19.
Municipal Arbitrations Act	304		1984, c. 11, s. 197.
Municipal Boundary Negotiations Act, 1981		1981, c. 70	1982, c. 33.
Municipal Conflict of Interest Act	305		1983, c. 8, rep.
Municipal Conflict of Interest Act, 1983	...	1983, c. 8	1986, c. 64, s. 38; 1988, c. 31, s. 17.
Municipal Corporations Quieting Orders Act	306		
Municipal Elderly Resident's Assistance Act	307		1986, c. 64, s. 39.
Municipal Elections Act	308		1981, c. 47, s. 24; 1982, c. 2 and c. 37; 1985, c. 4 and c. 7; 1986, c. 29, s. 12 and c. 64, s. 40; 1987, c. 10, s. 38 and c. 12, s. 11; 1988, c. 20, ss. 1-16, c. 33, ss. 1-12 and c. 47, s. 82.
Municipal Elections Statute Law Amendment Act, 1988		1988, c. 20 and c. 33	
Municipal Extra-Territorial Tax Act, 1988	...	1988, c. 56	
Municipal Franchises Act	309		
Municipal Health Services Act	310		1986, c. 64, s. 41.
Municipal Interest and Discount Rates Act, 1981		1981, c. 26	1982, c. 44, rep.
Municipal Interest and Discount Rates Act, 1982		1982, c. 44	
Municipal Payments in Lieu of Taxes Statute Law Amendment Act, 1984		1984, c. 45	
Municipal Private Acts Repeal Act, 1983		1983, c. 73	
Municipal Statute Law Amendment Act, 1987		1987, c. 10	
Municipal Statute Law Amendment Act, 1988	...	1988, c. 31	
Municipal Tax Assistance Act	311		1984, c. 45, s. 1.
Municipal Tax Sales Act, 1984		1984, c. 48	
Municipal Unemployment Relief Act	312		
Municipal Works Assistance Act	313		
Municipality of Metropolitan Toronto Act	314		1981, c. 73; 1982, c. 29; 1983, c. 5, ss. 14, 15, c. 9, c. 14, c. 39 and c. 56, s. 10; 1984, c. 10, c. 18 and c. 57, s. 44; 1985, c. 2; 1986, c. 21, s. 6, c. 29, s. 13, c. 50, c. 55 and c. 64, s. 42; 1987, c. 10, s. 39; 1988, c. 12, c. 19, c. 27, s. 29, c. 31, s. 19 and c. 70.
N			
Negligence Act	315		1984, c. 11, s. 198.
Niagara Escarpment Planning and Development Act	316		1981, c. 19, s. 14.
Niagara Parks Act	317		1983, c. 38; 1984, c. 45, s. 3.
Non-resident Agricultural Land Interests Registration Act	318		1986, c. 64, s. 43.
Northern Ontario Heritage Fund Act, 1988 (Loi de 1988 sur le Fonds du patrimoine du Nord de l'Ontario)		1988, c. 25	
Notaries Act	319		
Nursing Homes Act	320		1984, c. 55, s. 223; 1987, c. 20.
O			
Occupational Health and Safety Act	321		1984, c. 55, s. 224; 1986, c. 64, s. 44; 1987, c. 29; 1988, c. 58.

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Occupiers' Liability Act	322		
Official Notices Publication Act	323		
Off-Road Vehicles Act, 1983		1983, c. 53	1984, c. 44; 1986, c. 54. 1986, c. 65. 1984, c. 6 and c. 55, s. 225.
Oleomargarine Act	324		
Ombudsman Act	325		
One Day's Rest in Seven Act	326		
Ontario Agricultural Museum Act	327		
Ontario Automobile Insurance Board Act, 1988		1988, c. 18	
Ontario Deposit Insurance Corporation Act	328		1985, c. 5, s. 6.
Ontario Drug Benefit Act, 1986		1986, c. 27	
Ontario Economic Council Act	329		
Ontario Education Capital Aid Corporation Act	330		1985, c. 14, s. 6, rep.
Ontario Educational Communications Authority Act	331		
Ontario Energy Board Act	332		1986, c. 64, s. 45; 1988, c. 71, s. 20.
Ontario Energy Corporation Act	333		
Ontario Food Terminal Act	334		
Ontario Geographic Names Board Act	335		
Ontario Guaranteed Annual Income Act	336		1981, c. 44.
Ontario Heritage Act	337		
Ontario Highway Transport Board Act	338		1988, c. 63.
Ontario Home Ownership Savings Plan Act, 1988		1988, c. 35	1988, c. 73, s. 10.
Ontario Housing Corporation Act	339		
Ontario Human Rights Code	340		1981, c. 53, s. 48, rep.
(See now Human Rights Code, 1981)			
Ontario Institute for Studies in Education Act	341		
Ontario Land Corporation Act	342		
Ontario Law Reform Commission Act	343		
Ontario Loan Act, 1981		1981, c. 10	
Ontario Loan Act, 1982		1982, c. 16	
Ontario Loan Act, 1983		1983, c. 28	
Ontario Loan Act, 1984		1984, c. 33	
Ontario Loan Act, 1986		1986, c. 2 and c. 18	
Ontario Loan Act, 1988		1988, c. 1 and c. 26	
Ontario Lottery Corporation Act	344		
Ontario Mental Health Foundation Act	345		
Ontario Mineral Exploration Program Act	346		1986, c. 64, s. 46. 1982, c. 40, s. 6; 1984, c. 11, s. 199.
Ontario Municipal Board Act	347		
Ontario Municipal Employees Retirement System Act	348		1986, c. 4, s. 72.
Ontario Municipal Improvement Corporation Act	349		
Ontario New Home Warranties Plan Act	350		
Ontario Northland Transportation Commission Act	351		
Ontario Pensioners Property Tax Assistance Act	352		1981, c. 14 and c. 45; 1984, c. 16; 1986, c. 64, s. 47.
Ontario Place Corporation Act	353		
Ontario Planning and Development Act	354		
Ontario School Trustees' Council Act	355		
Ontario Society for the Prevention of Cruelty to Animals Act	356		
Ontario Telephone Development Corporation Act	357		

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Ontario Transportation Development Corporation Act	358		
Ontario Unconditional Grants Act	359		1981,c. 9; 1982,c. 14; 1984, c. 23 and c. 52; 1988,c. 6.
Ontario Universities Capital Aid Corporation Act	360		1985,c. 14,s. 6,rep.
Ontario Waste Management Corporation Act, 1981		1981,c. 21	
Ontario Water Resources Act	361		1981,c. 50; 1983,c. 51; 1986,c. 68,ss. 18 to 42; 1988,c. 54,ss. 51-88 and c. 71,s. 21.
Ontario Youth Employment Act	362		1986,c. 64,s. 48.
Operating Engineers Act	363		1982,c. 42; 1988,c. 10.
Ophthalmic Dispensers Act	364		1986,c. 64,s. 49.
Ottawa-Carleton French-Language School Board Act, 1988		1988,c. 47	
(Loi de 1988 sur le Conseil Scolaire de langue française d'Ottawa-Carleton)			
Ottawa Congress Centre Act, 1988		1988,c. 53	
(Loi de 1988 sur le Centre des congrès d'Ottawa)			
Ottawa (City of) Road Closing and Conveyance Validation Act, 1981		1981,c. 52	
Oxford (County of) Act	365		1982,c. 25; 1983,c. 5,s. 13 and c. 66; 1984,c. 45,s. 15; 1987,c. 9; 1988,c. 27,s. 37 and c. 31,s. 20.
P			
Paperback and Periodical Distributors Act	366		
Parks Assistance Act	367		
Parkway Belt Planning and Development Act	368		
Partition Act	369		1981,c. 66,Sched.; 1984, c. 11, s. 200.
Partnerships Act	370		1986,c. 64,s. 50.
Partnerships Registration Act	371		
Pawnbrokers Act	372		1986,c. 64,s. 51.
Pay Equity Act, 1987		1987,c. 34	
(Loi de 1987 sur l'équité salariale)			
Pension Benefits Act	373		1983,c. 2; 1986,c. 4,s. 73; 1987,c. 35,s. 117,rep.
Pension Benefits Act, 1987		1987,c. 35	
Perpetuities Act	374		1986,c. 64,s. 52.
Personal Property Security Act	375		1981,c. 2 and c. 58.
Pesticides Act	376		1981,c. 51; 1986,c. 68, ss. 43 to 50; 1988,c. 54, ss. 89-102.
Petroleum Resources Act	377		
Pits and Quarries Control Act	378		1988,c. 55.
Placements sud-africains détenus en fiducie, Loi de 1988 sur les		1988,c. 59	
(South African Trust Investments Act, 1988)			
Planning Act	379		1981,c. 15; 1983,c. 1,rep.
Planning Act, 1983		1983,c. 1	1983,c. 82; 1984,c. 32,s. 21; 1985,c. 16.

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Planning Statute Law Amendment Act, 1983	380	1983, c. 5	
Plant Diseases Act	381		1981, c. 55; 1983, c. 57; 1984, c. 11, s. 201; 1986, c. 64, s. 53.
Police Act	382		
Policy and Priorities Board of Cabinet Act	383		
Pounds Act	384		1981, c. 16 and c. 41; 1983, c. 15.
Power Corporation Act	385		
Power Corporation Insurance Act	386		1983, c. 74; 1986, c. 49 and c. 64, s. 54.
Powers of Attorney Act	387		
Prearranged Funeral Services Act	388		
Prepaid Hospital and Medical Services Act	389	1988, c. 39	
Prepaid Services Act, 1988	390	1986, c. 28	1984, c. 55, s. 226. 1986, c. 64, s. 55.
Prescription Drug Cost Regulation Act, 1986	391		1984, c. 11, s. 202; 1986, c. 64, s. 56, rep.
Private Hospitals Act	392		
Private Investigators and Security Guards Act	393		1983, c. 88, s. 1; 1984, c. 11, s. 203; 1985, c. 6, s. 16; 1988, c. 29.
Private Sanitaria Act	394		1984, c. 13, rep.
Private Vocational Schools Act	395		
Proceedings Against the Crown Act	396		
Professional Engineers Act	397	1984, c. 13	
Professional Engineers Act, 1984	398		
Projet d'aide financière aux intervenants, Loi de 1988 sur le	399	1988, c. 71	
(Intervenor Funding Project Act, 1988)	400		
Property and Civil Rights Act	401		1982, c. 58; 1984, c. 11, s. 205, rep.
Provincial Auctioneers Act	402		1982, c. 22; 1983, c. 18, c. 78, s. 2, c. 80, s. 2 and c. 85; 1984, c. 19, s. 11 (1) and c. 11, s. 204, rep.
Provincial Court (Civil Division) Act	403		
(See now Courts of Justice Act, 1984)	404		
Provincial Courts Act	405		
(See now Courts of Justice Act, 1984)	406		
Provincial Judges and Masters Statute Law Amendment Act, 1983	407	1983, c. 78	
Provincial Land Tax Act	408		1982, c. 18.
Provincial Offences Act	409		1983, c. 80, s. 1 and c. 87; 1984, c. 11, s. 206; 1986, c. 42.
Provincial Offences Statute Law Amendment Act, 1983	410	1983, c. 80	
Provincial Parks Act	411		1984, c. 45, s. 2.
Provincial Parks Municipal Tax Assistance Act	412		1984, c. 45, s. 19, rep.
Provincial Schools Negotiations Act	413		
Psychologists Registration Act	414		1988, c. 74.
Public Accountancy Act	415		
Public Authorities Protection Act	416		
Public Commercial Vehicles Act	417		1981, c. 71; 1983, c. 79; 1984, c. 20; 1986, c. 11; 1988, c. 64, s. 43.
Public Halls Act	418		
Public Health Act (See now Laboratory and Specimen Collection Centre Licensing Act and Health Protection and Promotion Act, 1983)	419		

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Public Hospitals Act	410		1981, c. 25.
Public Inquiries Act	411		
Public Institutions Inspection Act	412		
Public Lands Act	413		1986, c. 64, s. 57; 1988, c. 50.
Public Libraries Act	414		1984, c. 57, rep.
Public Libraries Act, 1984		1984, c. 57	
Public Officers Act	415		1986, c. 64, s. 58.
Public Officers' Fees Act	416		1984, c. 11, s. 207, rep.
Public Parks Act	417		
Public Sector Prices and Compensation Review Act, 1983		1983, c. 70	1987, c. 2, s. 1, rep.
Public Service Act	418		1983, c. 88, s. 2; 1986, c. 64, s. 59; 1987, c. 25, s. 69.
Public Service Superannuation Act	419		1981, c. 66, Sched.; 1983, c. 44 and c. 78, s. 3; 1984, c. 22; 1986, c. 4, s. 74, c. 12 and c. 64, s. 60.
Public Service Works on Highways Act	420		
Public Transportation and Highway Improvement Act	421		1981, c. 68; 1983, c. 8, s. 19; 1988, c. 24.
Public Trustee Act	422		
Public Utilities Act	423		1981, c. 16, s. 9; 1982, c. 45.
Public Utilities Corporations Act	424		
Public Vehicles Act	425		1983, c. 62.
Public Works Protection Act	426		
Q			
Quieting Titles Act	427		1984, c. 11, s. 208, rep.
R			
Race Tracks Tax Act	428		1981, c. 5; 1988, c. 2, s. 15, rep.
Race Tracks Tax Act, 1988		1988, c. 2	
Racing Commission Act	429		1981, c. 33.
Radiological Technicians Act	430		
Railways Act		R.S.O. 1950, c. 331	1986, c. 64, s. 61.
Real Estate and Business Brokers Act	431		
Real Property (<i>An Act Respecting</i>)		R.S.O. 1897, c. 330	1982, c. 12, s. 2.
Reciprocal Enforcement of Judgments Act	432		1984, c. 11, s. 209.
Reciprocal Enforcement of Judgments (<i>U.K.</i>) Act, 1984		1984, c. 24	
Reciprocal Enforcement of Maintenance Orders Act	433		1982, c. 9, rep.
Reciprocal Enforcement of Maintenance Orders Act, 1982		1982, c. 9	
Regional and Metropolitan Municipalities Amendment Act, 1983		1983, c. 56	
Regional Municipalities Amendment Act, 1982		1982, c. 26 and c. 49	
Regional Municipalities Amendment Act, 1983		1983, c. 72	
Regional Municipalities Amendment Act, 1986		1986, c. 46	

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Regional Municipalities Amendment Act, 1987	434	1987, c. 22	1982, c. 26, ss. 81-89 and c. 49, ss. 1-3; 1983, c. 5, s. 10, c. 56, s. 1 and c. 72, ss. 1-7; 1984, c. 45, s. 6; 1986, c. 46, s. 1; 1987, c. 22, s. 1; 1988, c. 27, s. 30 and c. 31, s. 21.
Regional Municipality of Durham Act	435		1982, c. 26, ss. 90-98 and c. 49, ss. 4 and 5; 1983, c. 5, s. 11, c. 56, s. 2 and c. 72, ss. 8-13; 1984, c. 45, s. 7 and c. 46; 1986, c. 46, s. 2; 1987, c. 16 and c. 22, s. 2; 1988, c. 31, s. 22.
Regional Municipality of Haldimand-Norfolk Act	436		1981, c. 66, Sched.; 1982, c. 26, ss. 63-71 and c. 49, ss. 6-9; 1983, c. 5, s. 8, c. 56, s. 3 and c. 72, ss. 14-19; 1984, c. 45, s. 8; 1986, c. 46, s. 3; 1987, c. 22, s. 3; 1988, c. 27, s. 31 and c. 31, s. 23.
Regional Municipality of Halton Act	437		1982, c. 26, ss. 72-80 and c. 49, ss. 10 and 11; 1983, c. 5, s. 9, c. 13, c. 56, s. 4 and c. 72, ss. 20-25; 1984, c. 45, s. 9; 1985, c. 10; 1986, c. 46, s. 4; 1987, c. 12, ss. 1-10 and c. 22, s. 4; 1988, c. 27, s. 32 and c. 31, s. 24.
Regional Municipality of Hamilton-Wentworth Statute Law Amendment Act, 1987	438	1987, c. 12	1982, c. 26, ss. 15-25 and c. 49, ss. 12-14; 1983, c. 5, s. 3, c. 56, s. 5 and c. 72, ss. 26-32; 1986, c. 46, s. 5; 1987, c. 10, s. 40 and c. 22, s. 5; 1988, c. 31, s. 25.
Regional Municipality of Niagara Act	439		1982, c. 26, ss. 1-14 and c. 49, ss. 15-21; 1983, c. 5, s. 2 and c. 72, ss. 33-36; 1984, c. 45, s. 10; 1986, c. 21, s. 5 and c. 46, s. 6; 1987, c. 22, s. 6; 1988, c. 27, s. 33, c. 31, s. 26 and c. 53, s. 16.
Regional Municipality of Ottawa-Carleton Act	440		1982, c. 26, ss. 54-62 and c. 49, ss. 22 and 23; 1983, c. 5, s. 7, c. 56, s. 6 and c. 72, ss. 37-42; 1984, c. 45, s. 11; 1986, c. 46, s. 7; 1987, c. 22, s. 7; 1988, c. 27, s. 34 and c. 31, s. 27.
Regional Municipality of Peel Act	441		1982, c. 26, ss. 45-53 and c. 49, ss. 24 and 25; 1983, c. 5, s. 5, c. 56, s. 7 and c. 72, ss. 43-50; 1984, c. 45, s. 12 and c. 47; 1986, c. 19, s. 1 and c. 46, s. 8; 1987, c. 10, s. 41 and c. 22, s. 8; 1988, c. 27, s. 35 and c. 31, s. 28.
Regional Municipality of Sudbury Act			

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Regional Municipality of Sudbury Statute Law Amendment Act, 1986		1986, c. 19	
Regional Municipality of Waterloo Act	442		1982, c. 26, ss. 35-44 and c. 49, ss. 26-29; 1983, c. 4, c. 5, s. 6, c. 56, s. 8 and c. 72, ss. 51-55; 1984, c. 45, s. 13; 1986, c. 46, s. 9; 1987, c. 22, s. 9; 1988, c. 23, ss. 1-5, c. 27, s. 36 and c. 31, s. 29.
Regional Municipality of Waterloo Statute Law Amendment Act, 1988		1988, c. 23	
Regional Municipality of York Act	443		1982, c. 26, ss. 26-34 and c. 49, ss. 30-32; 1983, c. 5, s. 4, c. 56, s. 9 and c. 72, ss. 56-61; 1986, c. 46, s. 10; 1987, c. 22, s. 10; 1988, c. 31, s. 30.
Registered Insurance Brokers Act	444		
Registry Act	445		1981, c. 17; 1982, c. 46; 1984, c. 32, s. 22; 1986, c. 62.
Regulations Act	446		
Religious Freedom Act	447		
Religious Organizations' Lands Act	448		
Rental Housing Protection Act, 1986		1986, c. 26	1988, c. 22.
Replevin Act	449		1984, c. 11, s. 210, rep.
Representation Act	450		1986, c. 30, rep.
Representation Act, 1986		1986, c. 30	
Research Foundation Act	451		
Residential Complex Sales Representation Act, 1983		1983, c. 67	
Residential Complexes Financing Costs Restraint Act, 1982		1982, c. 59	1983, c. 69; 1984, c. 65; 1985, c. 15, s. 4; 1986, c. 63, s. 128.
Residential Rent Regulation Act, 1986		1986, c. 63	
Residential Tenancies Act	452		1981, c. 66, Sched.; 1985, c. 15; 1986, c. 63, ss. 126, 127.
Retail Business Holidays Act	453		1986, c. 64, s. 62; 1987, c. 36.
Retail Sales Tax Act	454		1981, c. 38; 1982, c. 36; 1983, c. 27, c. 48 and c. 81; 1986, c. 1 and c. 66; 1987, c. 26.
Revised Statutes Amendment Act, 1981		1981, c. 66	
Revised Statutes Confirmation Act, 1981		1981, c. 65	
Rideau Centre Mortgage Financing Act, 1982		1982, c. 35	
Riding Horse Establishments Act	455		
Rights of Labour Act	456		
Road Access Act	457		
Royal Ontario Museum Act	458		
Rural Housing Assistance Act	459		
Rural Hydro-Electric Distribution Act	460		
Rural Power District Loans Act	461		
S			
Sale of Goods Act	462		1984, c. 11, s. 211.
Sanatoria for Consumptives Act	463		1983, c. 10, s. 111 (3), rep.
School Boards and Teachers Collective Negotiations Act	464		
School Trust Conveyances Act	465		

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
Science North Act, 1986	466	1986, c. 5	
Securities Act			1984, c. 59; 1985, c. 5, s. 7; 1986, c. 64, s. 63; 1987, c. 7 and c. 33, s. 229.
Seed Potatoes Act	467		
Sentences arbitrales étrangères, Loi de 1986 sur les		1986, c. 25	1988, c. 30, s. 14, rep.
(Foreign Arbitral Awards Act, 1986)			
Services en français, Loi de 1986 sur les (French Language Services Act, 1986)		1986, c. 45	
Settled Estates Act	468		1986, c. 64, s. 64.
Settlers' Pulpwood Protection Act	469		
Sheep and Wool Marketing Act, 1981		1981, c. 32	
Sheriffs Act	470		1984, c. 11, s. 212.
Shoreline Property Assistance Act	471		1983, c. 8, s. 18; 1986, c. 22.
Short Forms of Conveyances Act	472		1984, c. 32, s. 23.
Short Forms of Leases Act	473		
Short Forms of Mortgages Act	474		1984, c. 32, s. 24.
Small Business Development Corporations Act	475		1981, c. 35; 1983, c. 26; 1984, c. 30; 1986, c. 3 and c. 38.
Small Claims Courts Act	476		1981, c. 66, Sched.; 1983, c. 22; 1984, c. 11, s. 213, rep.
(See now Courts of Justice Act, 1984)			
Snow Roads and Fences Act	477		
Solicitors Act	478		1983, c. 21; 1984, c. 11, s. 214.
South African Trust Investments Act, 1988		1988, c. 59	
(Loi de 1988 sur les placements sud-africains détenus en fiducie)			
Spruce Pulpwood Exportation Act	479		
Statistics Act	480		
Statute of Frauds	481		
Statute Labour Act	482		1986, c. 64, s. 65.
Statutes Act	483		
Statutory Powers Procedure Act	484		
St. Clair Parkway Commission Act	485		1984, c. 45, s. 4.
St. Lawrence Parks Commission Act	486		1984, c. 45, s. 5.
Stock Yards Act	487		
Succession Law Reform Act	488		1981, c. 66, Sched.; 1986, c. 53.
Successor Rights (Crown Transfers) Act	489		
Sudbury (City of) Hydro-Electric Service Act, 1980		1980, c. 59	1984, c. 51.
Superannuation Adjustment Benefits Act	490		
Supply Act, 1981		1981, c. 74	
Supply Act, 1983		1983, c. 17 and c. 89	
Supply Act, 1984		1984, c. 67	
Supply Act, 1986		1986, c. 15	
Supply Act, 1987		1987, c. 15	
Supply Act, 1988		1988, c. 28	
Support and Custody Orders Enforcement Act, 1985		1985, c. 6	
(Loi de 1985 sur l'exécution d'ordonnances alimentaires et de garde d'enfants)			
Surrogate Courts Act	491		1982, c. 10; 1984, c. 11, s. 215; 1986, c. 64, s. 66.

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R S O. 1980 Chap	Other	
Surveyors Act	462		1985, c. 5, s. 8; 1986, c. 64, s. 67; 1987, c. 6, s. 47, rep.
Surveyors Act, 1987		1987, c. 6	
Surveyors Act	465		1987, c. 10, s. 42.
T			
Teachers' Superannuation Act	466		1983, c. 84, rep.
Teachers' Superannuation Act, 1983		1983, c. 84	1986, c. 4, s. 75, c. 13 and c. 64, s. 68; 1987, c. 19.
Teaching Profession Act	467		
Technology Centres Act, 1982		1982, c. 39	
Tenants' Act	468		1983, c. 71.
Territorial Division Act	467		1982, c. 57, s. 4.
Treatment Act	468		1984, c. 56; 1988, c. 8.
Timmins-Bay (City of) Act, 1968		1968-69, c. 56	1983, c. 11.
Ticket Speculation Act	469		
Tile Drainage Act	500		1983, c. 8, s. 21.
Time Act	501		1986, c. 56.
Timmins-Porcupine (City of) Act, 1972		1972, c. 117	1988, c. 27, s. 40.
Timmins Tax Act	502		1981, c. 4; 1982, c. 17; 1983, c. 25; 1985, c. 22; 1986, c. 41; 1988, c. 65.
Toll Bridges Act	503		
Topsoil Preservation Act	504		
Toronto Area Transit Operating Authority Act	505		1981, c. 67.
Toronto Economic Summit Construction Act, 1988 ..		1988, c. 21	1988, c. 21, s. 4, rep.
Toronto Futures Exchange Act, 1983		1983, c. 19	
Toronto Hospital Act, 1986		1986, c. 36	
Toronto Islands Act, 1980		1980, c. 60	1981, c. 6.
Toronto Stock Exchange Act	506		1982, c. 27, rep.
Toronto Stock Exchange Act, 1982		1982, c. 27	
Toronto Transit Commission, Gray Coach Lines, Limited and GO Transit Labour Disputes Settlement Act, 1984		1984, c. 42	
Tourism Act	507		
Training Schools Act	508		1984, c. 19, s. 12, rep.
(See now Young Offenders Implementation Act, 1984 and Child and Family Services Act, 1984 Part IV (Young Offenders))			
Transboundary Pollution Reciprocal Access Act, 1986		1986, c. 10	
Travel Industry Act	509		1988, c. 5.
Trees Act	510		
Trespass to Property Act	511		
Truck Transportation Act, 1988		1988, c. 64.	
Trustee Act	512		1984, c. 11, s. 216.
U			
Unclaimed Articles Act	513		
Unconscionable Transactions Relief Act	514		1981, c. 66, Sched.
Unified Family Court Act	515		1982, c. 20, s. 5 and c. 21; 1983, c. 80, s. 3 and c. 86; 1984, c. 19, s. 13 and c. 11, s. 217, rep.
(See now Courts of Justice Act, 1984)			

Title of Act	CITATION		Amendments and Repeals to end of 1988
	R.S.O. 1980 Chap.	Other	
University Expropriation Powers Act	516		
Upholstered and Stuffed Articles Act	517		1988, c. 9.
Urban Transportation Development Corporation Ltd. Act	518		
V			
Variation of Trusts Act	519		
Vendors and Purchasers Act	520		1981, c. 66, Sched.
Venereal Diseases Prevention Act	521		1983, c. 10, s. 111 (3), rep.
(<i>See now</i> Health Protection and Promotion Act, 1983, ss. 35, 36)			
Vente internationale de marchandises, Loi de 1988 sur la		1988, c. 45	
(International Sale of Goods Act, 1988)			
Veterinarians Act	522		
Vexatious Proceedings Act	523		1984, c. 11, s. 218, rep.
(<i>See now</i> Courts of Justice Act, 1984, s. 150)			
Vital Statistics Act	524		1981, c. 66, Sched.; 1983, c. 34; 1986, c. 9; 1987, c. 4, s. 13.
Vocational Rehabilitation Services Act	525		
W			
Wages Act	526		1983, c. 68.
War Veterans Burial Act	527		
Warehouse Receipts Act	528		1984, c. 11, s. 219.
Warehousemen's Lien Act	529		
Weed Control Act	530		1988, c. 51, s. 25, rep.
Weed Control Act, 1988		1988, c. 51	
(Loi de 1988 sur la destruction des mauvaises herbes)			
Wellington County Board of Education and Teachers Dispute Settlement Act, 1985		1985, c. 8	
Wharfs and Harbours Act	531		
Wheel-Trans Labour Dispute Settlement Act, 1986		1986, c. 16	
Wild Rice Harvesting Act	532		
Wilderness Areas Act	533		
Wine Content Act	534		1984, c. 2; 1986, c. 32; 1987, c. 24; 1988, c. 57, s. 6, rep.
Wine Content Act, 1988		1988, c. 57	
Woodlands Improvement Act	535		
Woodmen's Employment Act	536		
Woodmen's Lien for Wages Act	537		1984, c. 11, s. 220.
Wool Marketing Act	538		1981, c. 32, s. 13, rep.
(<i>See now</i> Sheep and Wool Marketing Act, 1981)			
Workers' Compensation Act	539		1981, c. 30; 1982, c. 61; 1983, c. 45; 1984, c. 38 and c. 58; 1985, c. 3 and c. 17; 1986, c. 64, s. 69.
Workmen's Compensation Act (<i>See now</i> Workers' Compensation Act)			
Workmen's Compensation Insurance Act	540		
Y			
Young Offenders Implementation Act, 1984		1984, c. 19	1984, c. 55, s. 228 and c. 66, s. 14.

TABLE OF PROCLAMATIONS

Setting out the Public Acts and parts of Public Acts in the Revised Statutes of Ontario, 1980 and subsequent annual volumes that have been and that are to be brought into force by Proclamation.

A

ACTS AND PARTS OF ACTS PROCLAIMED AND THE DATES UPON WHICH THEY CAME INTO FORCE

- ADOPTION DISCLOSURE STATUTE LAW AMENDMENT ACT: 1987, c. 4 (6th July, 1987).
- AMUSEMENT DEVICES ACT: 1986, c. 6, ss. 1, 2, 6 to 20 (1st May, 1986); 1986, c. 6, ss. 3, 4 and 5 (1st July, 1986).
- ARCHITECTS ACT: 1984, c. 12 (1st September, 1984).
- ASSESSMENT APPEALS PROCEDURE STATUTE LAW AMENDMENT ACT: 1982, c. 40 (1st January, 1983).
- BOILERS AND PRESSURE VESSELS AMENDMENT ACT: 1983, c. 33 (3rd September, 1985).
- BREAD SALES ACT: R.S.O. 1980, c. 48, s. 4 (3) (1st April, 1981).
- BUILDING CODE ACT: R.S.O. 1980, c. 51, s. 1 (2) (30th November, 1983).
- BUSINESS CORPORATIONS ACT: 1982, c. 4, ss. 1 to 151 (4) and 152 to 279 (29th July, 1983).
- BUSINESS CORPORATIONS AMENDMENT ACT: 1986, c. 57, ss. 1 to 17, 19 to 22, 24 and 25 (1st January, 1987).
- CENTRAL TRUST COMPANY ACT: 1983, c. 64 (9th December, 1983).
- CENTRE DES CONGRÈS D'OTTAWA, LOI SUR LE: 1988, chap. 53 (1^{er} octobre 1988).
(OTTAWA CONGRESS CENTRE ACT, 1988)
- CHANGE OF NAME ACT: 1986, c. 7 (1st April, 1987).
(LOI DE 1986 SUR LE CHANGEMENT DE NOM)
- CHANGEMENT DE NOM, LOI SUR LE...: 1986, chap. 7 (1^{er} avril 1987).
(CHANGE OF NAME ACT, 1986)
- CHILD AND FAMILY SERVICES ACT: 1984, c. 55, ss. 1 to 33, 37 to 108, 120 to 123, 127 to 156, 158 to 161, 175 to 230 (1st November, 1985); 1984, c. 55, ss. 34, 35 and 36 (1st January, 1986); 1987, c. 4, s. 7 [s. 158a (5)] (1st January, 1988).
- CHILDREN'S LAW REFORM AMENDMENT ACT: 1982, c. 20, s. 1 [47] (1st July, 1982); 1982, c. 20, s. 1 [18-46, 48-79] and ss. 2 to 7 (1st October, 1982); 1986, c. 8 (1st September, 1986).
- COMPAGNIES DE PRÊT ET DE FIDUCIE, LOI SUR LES...: 1987, chap. 33 (5 avril 1988).
(LOAN AND TRUST CORPORATIONS ACT, 1987)
- CONFLITS D'INTÉRÊTS DES MEMBRES DE L'ASSEMBLÉE, LOI SUR LES...: 1988, chap. 17 (1^{er} septembre 1988).
(MEMBERS' CONFLICT OF INTEREST ACT, 1988)
- CORPORATIONS INFORMATION AMENDMENT ACT: 1984, c. 3 (1st July, 1985).
- COUNTY COURTS AMENDMENT ACT: 1981, c. 24 (8th September, 1981); 1984, c. 1 (25th June, 1984).
- COUNTY OF OXFORD AMENDMENT ACT: 1982, c. 25, ss. 4 and 9 (1st October, 1982); 1987, c. 9, ss. 6, 7 and 8 (1st April, 1987).
- COURTS OF JUSTICE ACT: 1984, c. 11, ss. 1, 73, 76, 85, 89, 90, 221 and 222 (1st June, 1984); 1984, c. 11, ss. 2 to 72, 74 and 75, 77 to 84, 86 to 88 and 91 to 220 (1st January, 1985).
- COURTS OF JUSTICE AMENDMENT ACT: 1984, c. 64, ss. 2, 3 (1), 5, 8, 9 and 10 (1st January, 1985).
- CREDIT UNIONS AND CAISSES POPULAIRES ACT: R.S.O. 1980, c. 102, s. 65 (1st December, 1981).

CREDIT UNIONS AND CAISSES POPULAIRES AMENDMENT ACT: 1983, c. 46, ss. 1, 8 to 11, 13 to 15 and 18 to 20 (3rd August, 1983); 1983, c. 46, s. 3 (12th October, 1983); 1983, c. 46, ss. 4, 5, 6 and 7 (1st February, 1985); 1983, c. 46, s. 2 (28th June, 1985).

DANGEROUS GOODS TRANSPORTATION ACT: 1981, c. 69 (1st July, 1985).

DEGREE GRANTING ACT: 1983, c. 36 (30th June, 1984).

DROIT DE LA FAMILLE, LOI SUR LE...: 1986, chap. 4, art. 1 à 71 (1), 71 (3) à 77 (1^{er} mars 1986).
(FAMILY LAW ACT, 1986)

EMPLOYMENT STANDARDS AMENDMENT ACT: 1987, c. 30, ss. 2, 4 (2) and 6 (31st, July, 1987).

ENGLISH AND WABIGOOON RIVER SYSTEMS MERCURY CONTAMINATION SETTLEMENT AGREEMENT ACT: 1986, c. 23 (28th July, 1986).

ENVIRONMENTAL PROTECTION ACT: R.S.O. 1980, c. 141, s. 137 (4) (4th March, 1984); Part IX (ss. 79-112) and s. 136 (7) (29th November, 1985).

ENVIRONMENTAL PROTECTION AMENDMENT ACT: 1983, c. 52, ss. 1 to 6, 15 to 23 (1), 24 to 27 (1st January, 1984); 1983, c. 52, ss. 7 to 11 (5th February, 1984); 1983, c. 52, ss. 12 to 14 and s. 23 (2), (3) and (4) (4th March, 1984).

EQUALITY RIGHTS STATUTE LAW AMENDMENT ACT: 1986, c. 64, s. 21 (3) and (4) (2nd November, 1987); 1986, c. 64, s. 18 (8), (9), (10), (11), (15) and (16) (18th April, 1988).

ÉQUITÉ SALARIALE, LOI SUR LE...: 1987, chap. 34 (1^{er} janvier 1988).
(PAY EQUITY ACT, 1987)

EXECUTION D'ORDONNANCES ALIMENTAIRES ET DE GARDE D'ENFANTS, LOI SUR LE...: 1985, chap. 6, art. 1, 2 (1) et (5), alinéa 6 (3) b), art. 6 (5) et (6), 7 (1), 8 et 9, 10 (1), (2) et (3), 11 (2) à (12), 12 à 15, 16 (2), 17 et 18 (1^{er} mars 1986); 1985, chap. 6, art. 2 (2), (3), (4) et (6), 3 (1) à (4), 4, 5, 6 (1) et (2), alinéa 6 (3) a), art. 6 (4), 7 (2), 10 (4), 11 (1) et 16 (1) et (3) (2 juillet 1987).

(SUPPORT AND CUSTODY ORDERS ENFORCEMENT ACT, 1985)

EXPROPRIATIONS AMENDMENT ACT: 1983, c. 47 (15th July, 1983).

EXTRA-PROVINCIAL CORPORATIONS ACT: 1984, c. 14 (1st March, 1985).

FAMILY LAW ACT: 1986, c. 4, ss. 1 to 71 (1), 71 (3) to 77 (1st March, 1986).

(LOI DE 1986 SUR LE DROIT DE LA FAMILLE)

FARM PRODUCTS CONTAINERS ACT: 1982, c. 53 (30th June, 1983).

FARM PRODUCTS GRADES AND SALES AMENDMENT ACT: 1984, c. 40 (1st September, 1984).

FIRE MARSHALS AMENDMENT ACT: 1981, c. 8, ss. 2, 3 (2) (1st December, 1983).

FOREIGN ARBITRAL AWARDS ACT: 1986, c. 25 (10th August, 1986).

(LOI DE 1986 SUR LES SENTENCES ARBITRALES ÉTRANGÈRES)

GRAIN CORN MARKETING ACT: 1984, c. 26 (1st September, 1984).

GRAIN ELEVATOR STORAGE ACT: 1983, c. 40 (1st July, 1984).

HEALING ARTS RADIATION PROTECTION ACT: R.S.O. 1980, c. 195, ss. 2, 15, 16, 17, 18 (1st August, 1981); ss. 1, 3, 4, 6, 8 to 14, 19 to 27 (1st February, 1984); ss. 5 and 7 (1st July, 1985).

HEALTH CARE ACCESSIBILITY ACT: 1986, c. 20 (20th June, 1986).

HEALTH PROTECTION AND PROMOTION ACT: 1983, c. 10 (1st July, 1984).

HIGHWAY TRAFFIC ACT: R.S.O. 1980, c. 198, ss. 195 to 198 (Part XV) (1st April, 1981); s. 18 (6) (1st January, 1986).

HIGHWAY TRAFFIC AMENDMENT ACT: 1981, c. 48, s. 8 (1st April, 1982); 1982, c. 28, s. 2 (1st October, 1982); 1982, c. 28, s. 3 (1st November, 1982); 1982, c. 28, s. 5 (3) and (4) (1st September, 1983); 1982, c. 15, ss. 1 to 7, 9, 10, 12 to 15 (1st December, 1982); 1984, c. 21, ss. 9 to 15, s. 16 [124 (1) and (4) to (29)] and ss. 17 and 18 (1st September, 1984); 1984, c. 21, s. 4 (1) (30th September, 1985); 1985, c. 13, s. 17 (23rd May, 1986); 1988, c. 44, s. 1, s. 2 [15a(1), 15b, 15c and 15g], ss. 3 to 6, 8, 11, 13 to 17 (16th January, 1989); 1988, c. 44, s. 9 (1st March, 1989); 1988, c. 44, s. 7 (1st April, 1989); 1988, c. 44, s. 2 [15a(2) to (7)], ss. 15d, 15e and 15f], ss. 10 and 12 (1st July, 1989).

HOMES FOR THE AGED AND REST HOMES ACT: R.S.O. 1980, c. 203, s. 12 (5) (1st March, 1982).

HUMAN RIGHTS CODE: 1981, c. 53 (15th June, 1982).

IMMUNIZATION OF SCHOOL PUPILS AMENDMENT ACT: 1983, c. 76, ss. 2 to 4 (15th January, 1984); 1983, c. 76, s. 1 (1st July, 1984).

INNKEEPERS ACT: R.S.O. 1980, c. 217, *See* s. 8 (30th June, 1987).

INSURANCE ACT: R.S.O. 1980, c. 218, s. 404 (1st April, 1981); ss. 398 to 403, 405 (1st October, 1981).

INSURANCE AMENDMENT ACT: 1986, c. 67 (15th June, 1987).

INTERPROVINCIAL SUBPOENAS ACT: R.S.O. 1980, c. 220 (1st January, 1985).

JUDICATURE AMENDMENT ACT: 1981, c. 23 (27th July, 1981).

LAND REGISTRATION REFORM ACT: 1984, c. 32, ss. 1 to 22 (25), 22 (27) to 26 (1st November, 1984).

LANDLORD AND TENANT AMENDMENT ACT: 1987, c. 23 (30th June, 1987).

LINE FENCES AMENDMENT ACT: 1986, c. 47 (1st July, 1988).

LIQUOR LICENCE AMENDMENT ACT: 1984, c. 4 (18th May, 1984).

LIVE STOCK BRANDING AMENDMENT ACT: 1981, c. 36 (1st March, 1982).

LOAN AND TRUST CORPORATIONS ACT: 1987, c. 33 (5th April, 1988).

(LOI DE 1987 SUR LES COMPAGNIES DE PRÊT ET DE FIDUCIE)

MEMBERS' CONFLICT OF INTEREST ACT: 1988, c. 17 (1st September, 1988).

(LOI DE 1988 SUR LES CONFLITS D'INTÉRÊTS DES MEMBRES DE L'ASSEMBLÉE)

MENTAL HEALTH ACT: R.S.O. 1980, c. 262, ss. 66 and 67 (1st March, 1984).

METROPOLITAN POLICE FORCE COMPLAINTS PROJECT ACT: 1981, c. 43 (21st December, 1981).

METROPOLITAN TORONTO CONVENTION CENTRE CORPORATION ACT: 1988, c. 52, ss. 1 to 9, 11 to 17 (1st October, 1988).

MINISTRY OF AGRICULTURE AND FOOD STATUTE LAW AMENDMENT ACT: 1988, c. 13 (22nd January, 1988).

MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS AMENDMENT ACT: 1984, c. 5 (18th May, 1984).

MINISTRY OF CORRECTIONAL SERVICES AMENDMENT ACT: 1984, c. 66, s. 12 (2), (4) and (6) (1st November, 1985).

MOTORIZED SNOW VEHICLES AMENDMENT ACT: 1982, c. 13 (1st September, 1982).

MOTOR VEHICLE REPAIR ACT: 1988, c. 38 (1st October, 1988).

MUNICIPAL ACT: R.S.O. 1980, c. 302, *See* s. 502 (repeal of par. 152 of sec. 210) (1st July, 1988).

MUNICIPAL AMENDMENT ACT: 1986, c. 14 (1st March, 1986).

MUNICIPAL BOUNDARY NEGOTIATIONS ACT: 1981, c. 70 (1st February, 1982).

MUNICIPAL CONFLICT OF INTEREST ACT: 1983, c. 8 (1st March, 1983).

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT: 1982, c. 29, ss. 5 and 12 (1) (1st October, 1982).

- OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT: 1987, c. 29 (31st October, 1988).
- ONTARIO AUTOMOBILE INSURANCE BOARD ACT: 1988, c. 18, ss. 1 to 14, 16, 19, 21 (1), (2), (3), (6), (7), (8) and (9), 25, 26, 27, 29, 30, 31, 33, 34 and 35 (5th April, 1988); 1988, c. 18, ss. 15, 17, 18, 20, 21 (4) and (5), 22, 23, 24, 28, 32 (4th July, 1988)
- AMENDMENTS PROCLAIMED: 1988, c. 18, ss. 19 (2), 20 (14), 29 (3) and 30 (3) (4th July, 1988); 1988, c. 18, s. 33 (2) (1st June, 1989).
- ONTARIO DRUG BENEFIT ACT: 1986, c. 27 (1st December, 1986).
- ONTARIO HIGHWAY TRANSPORT BOARD AMENDMENT ACT: 1988, c. 63, ss. 1 to 3, 4 [ss. 16a, 16b, 16d], ss. 5 to 10 (16th January, 1989); 1988, c. 63, s. 4 [s. 16c] (1st July, 1989).
- ONTARIO WASTE MANAGEMENT CORPORATION ACT: 1981, c. 21, s. 5 (30th September, 1983); 1981, c. 21, *see* s. 15 (3) (21st July, 1985).
- ONTARIO WATER RESOURCES AMENDMENT ACT: 1981, c. 50, ss. 3, 4, 5 (17th March, 1982); 1981, c. 50, ss. 1 and 2 (1st November, 1984); 1983, c. 51, s. 3 (4) and (5) (1st November, 1984).
- OPERATING ENGINEERS AMENDMENT ACT: 1982, c. 42 (20th September, 1982).
- OTTAWA CONGRESS CENTRE ACT: 1988, c. 53 (1st October, 1988).
- (LOI DE 1988 SUR LE CENTRE DES CONGRÈS D'OTTAWA)
- PAY EQUITY ACT: 1987, c. 34 (1st, January, 1988).
- (LOI DE 1987 SUR L'ÉQUITÉ SALARIALE)
- PENSION BENEFITS ACT: 1987, c. 35 (1st January, 1988).
- PLANNING ACT: 1983, c. 1, ss. 1 to 39, 41 to 73 (1) and 74 to 76 (1st August, 1983); 1983, c. 1, ss. 40 and 73 (2) (1st March, 1986).
- PLANNING STATUTE LAW AMENDMENT ACT: 1983, c. 5 (1st August, 1983).
- POLICE AMENDMENT ACT: 1983, c. 57 (29th February, 1984).
- PREPAID SERVICES ACT: 1988, c. 39 (1st October, 1988).
- PRESCRIPTION DRUG COST REGULATION ACT: 1986, c. 28 (1st December, 1986).
- PROCEEDINGS AGAINST THE CROWN AMENDMENT ACT: 1983, c. 88 (1st January, 1989); 1988, c. 29 (1st January, 1989).
- PROFESSIONAL ENGINEERS ACT: 1984, c. 13 (1st September, 1984).
- PROVINCIAL COURTS AMENDMENT ACT: 1983, c. 85 (2nd April, 1984).
- PROVINCIAL OFFENCES ACT: R.S.O. 1980, c. 400, Part II (1st September, 1987).
- PROVINCIAL OFFENCES AMENDMENT ACT: 1986, c. 42, ss. 3, 4, 5 and 6 (1st September, 1987).
- PROVINCIAL OFFENCES STATUTE LAW AMENDMENT ACT: 1983, c. 80 (2nd April, 1984).
- PUBLIC COMMERCIAL VEHICLES AMENDMENT ACT: 1981, c. 71, ss. 1, 2 (2), 3, 9, 11, 12, 13 (1), 15 (3) (15th February, 1982); 1983, c. 79 (1st April, 1986); 1984, c. 20 (1st April, 1986); 1986, c. 11 (1st April, 1986).
- PUBLIC LIBRARIES ACT: 1984, c. 57 (29th March, 1985).
- PUBLIC SERVICE SUPERANNUATION AMENDMENT ACT: 1984, c. 22, ss. 1 to 11, s. 13 and ss. 15 to 19 (1st January, 1985); 1986, c. 12 (1st August, 1986).
- PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT: 1988, c. 24, s. 10 (14th October, 1988).
- RECIPROCAL ENFORCEMENT OF MAINTENANCE ORDERS ACT: 1982, c. 9 (1st October, 1982).
- REGIONAL MUNICIPALITIES AMENDMENT ACT: 1982, c. 26, ss. 8, 12, 19, 24, 33, 43, 52, 57, 61, 66, 70, 75, 79, 84, 88, 93 and 97 (1st October, 1982); 1986, c. 46, s. 6 (7) and (10) (1st January, 1987); 1987, c. 22, ss. 1 (3), 2 (3), 3 (4), 4 (5), 5 (4), 6 (5), 7 (3), 8 (4), 9 (3) and 10 (3) (15th August, 1987); 1987, c. 22, s. 4 (2) (1st July, 1988).

- REGISTERED INSURANCE BROKERS ACT: R.S.O.1980,c. 444,ss. 1, 4, 6, 8 to 12, 15 to 27, 30, 31, 33 to 35 (1st April, 1981); ss. 2, 3, 5, 7, 13, 14, 28, 29, 32, 36 (1st October, 1981).
- REGISTRY AMENDMENT ACT: 1981,c. 17 (1st August, 1981).
- RESIDENTIAL COMPLEX SALES REPRESENTATION ACT: 1983,c. 67 (19th December, 1983).
- RESIDENTIAL RENT REGULATION ACT: 1986,c. 63,ss. 1, 8, 12, 37 to 42, 44 to 46, 48 to 50, 52, 53, 71 (2) and (3), 118, 125, 129 (4), 130, 131 and Schedule A (15th December, 1986); 1986,c. 63,ss. 2 to 7, 9 to 11, 13 to 36, 47, 51, 70, 71 (4), 72 to 74, 75 (a) to (h) and (j), 76 to 82, 83 (1), (2) and (3), 84 to 90, 92 (1) (a), (b), (d) and (e), 92 (2) to (4), 94 to 116, 119 to 121, 122 (1) (a) to (f) and (h), 122 (2) and (3), 123, 124, 126, 127, 129 (1), (2) and (3) and Schedule B (1st January, 1987); 1986,c. 63,ss. 54 to 69, 122 (1) (g) (2nd January, 1987).
- SECURITIES AMENDMENT ACT: 1987,c. 7,ss. 1 to 6, 8, 9, 11, 12, 13, 15 (1) and (3), 16 and 17 (30th June, 1987); 1987,c. 7,ss. 7, 10, 14 and 15 (2) (15th February, 1988).
- SENTENCES ARBITRALES ÉTRANGÈRES, LOI SUR LES...: 1986, chap. 25 (10 août 1986).
(FOREIGN ARBITRAL AWARDS ACT, 1986)
- SHEEP AND WOOL MARKETING ACT: 1981,c. 32 (15th March, 1982).
- SHORELINE PROPERTY ASSISTANCE ACT: R.S.O.1980,c. 471,s. 15 (15th May, 1981).
- SMALL CLAIMS COURTS AMENDMENT ACT: 1983,c. 22,s. 2 (2nd August, 1983).
- SUPPORT AND CUSTODY ORDERS ENFORCEMENT ACT: 1985,c. 6,ss. 1, 2 (1) and (5), clause 6 (3) (b), ss. 6 (5) and (6), 7 (1), 8 and 9, 10 (1), (2) and (3), 11 (2) to (12), 12 to 15, 16 (2), 17 and 18 (1st March, 1986); 1985,c. 6,ss. 2 (2), (3), (4) and (6), 3 (1) to (4), 4, 5, 6 (1) and (2), clause 6 (3) (a),ss. 6 (4), 7 (2), 10 (4), 11 (1) and 16 (1) and (3) (2nd July, 1987).
(LOI DE 1985 SUR L'EXÉCUTION D'ORDONNANCES ALIMENTAIRES ET DE GARDE D'ENFANTS)
- SURVEYORS ACT: 1987,c. 6 (30th December, 1988).
- THEATRES AMENDMENT ACT: 1984,c. 56,ss. 1 to 5, 7, 9 to 11, 13, 14, 16, 20 to 22, 24 and 25 (1st February, 1985); 1984,c. 56,ss. 8 and 23 (1st March, 1985); 1984,c. 56,ss. 6, 12, 15 [ss. 38, 39], 18 and 19 (1st October, 1988).
- THUNDER BAY (CITY OF) AMENDMENT ACT: 1983,c. 11,s. 1 (1st August, 1983).
- TORONTO DISTRICT HEATING CORPORATION ACT: 1980,c. 73,s. 21 (9th July, 1982); ss. 2 to 15, 17 to 20, 22 to 28 and 30 (1st November, 1982).
- TORONTO FUTURES EXCHANGE ACT: 1983,c. 19 (21st October, 1983).
- TRUCK TRANSPORTATION ACT: 1988,c. 64 (30th January, 1989).
- UNIFIED FAMILY COURT ACT: R.S.O.1980,c. 515,s. 3 (6) (1st October, 1982).
- UNIFIED FAMILY COURT AMENDMENT ACT: 1982,c. 21,s. 4 (19th January, 1983); 1983,c. 86 (2nd April, 1984).
- VITAL STATISTICS AMENDMENT ACT: 1986,c. 9,ss. 1 to 5, 7, 12 to 19 (1st August, 1986); 1986,c. 9,ss. 6, 8, 9, 10 and 11 (15th July, 1987).
- WAGES AMENDMENT ACT: 1983,c. 68 (1st March, 1984).
- WINE CONTENT ACT: 1988,c. 57 (1st September, 1988).
- WORKERS' COMPENSATION AMENDMENT ACT: 1984,c. 58,ss. 1 to 6, 9 to 14, 33 to 37, 39 to 41 (1st April, 1985); 1984,c. 58,ss. 7, 8, 15 to 32 and 38 (1st October, 1985); 1985,c. 17,s. 2 (22nd January, 1986).

B

ACTS AND PARTS OF ACTS NOT PROCLAIMED
AS OF FEBRUARY 14TH, 1989

ASSESSMENT ACT: R.S.O.1980,c. 31,s. 24 (6), *See s. 69.*

BUSINESS CORPORATIONS ACT: 1982,c. 4,s. 151 (5).

CHARITABLE INSTITUTIONS ACT: R.S.O.1980,c. 64,ss. 4 (1), 5 (3).

CHILD AND FAMILY SERVICES ACT: 1984,c. 55,ss. 109 to 119, 124 to 126, 162, 163 (1), (2) (a), (b), (c), (e), (f), (g) and 164 to 174.

CHILD AND FAMILY SERVICES AMENDMENT ACT: 1988,c. 36.

CONDOMINIUM ACT: R.S.O.1980,c. 84,ss. 36 (7), 56 and 57, *See s. 58.*

CONSOLIDATED HEARINGS ACT: 1981,c. 20,s. 3 (3).

CREDIT UNIONS AND CAISSES POPULAIRES AMENDMENT ACT: 1983,c. 46,ss. 16, 17, 21 and 22.

DAY NURSERIES ACT: R.S.O.1980,c. 111,s. 19 (1).

DROIT DE LA FAMILLE, LOI SUR LE...: 1986, chap. 4, art. 71 (2).

(FAMILY LAW ACT, 1986)

ENERGY EFFICIENCY ACT: 1988,c. 32.

EQUALITY RIGHTS STATUTE LAW AMENDMENT ACT: 1986,c. 64,s. 21 (1) and (2).

EXÉCUTION D'ORDONNANCES ALIMENTAIRES ET DE GARDE D'ENFANTS, LOI SUR L'...: 1985, chap. 6, art. 3 (5).

(SUPPORT AND CUSTODY ORDERS ENFORCEMENT ACT, 1985)

FAMILY LAW ACT: 1986,c. 4,s. 71 (2).

(LOI DE 1986 SUR LE DROIT DE LA FAMILLE)

FARM IMPLEMENTS ACT: 1988,c. 61.

FARM PRODUCTS CONTAINERS ACT: 1988,c. 68.

GAME AND FISH ACT: R.S.O.1980,c. 182, *See s. 93 (2) (for repeal of par. 4 of sub. 93 (1)).*

GASOLINE HANDLING ACT: R.S.O.1980,c. 185,s. 18.

HEALTH PROTECTION AND PROMOTION ACT: 1983,c. 10, *See s. 89 (for repeal of ss. 87 and 88).*

HIGHWAY TRAFFIC ACT: R.S.O.1980,c. 198,s. 63 (1) and (2).

HIGHWAY TRAFFIC AMENDMENT ACT: 1982,c. 15,ss. 8 and 11; 1984,c. 21,s. 3 (1) and (2) and s. 16 [124 (2) and (3)].

INSURANCE ACT: R.S.O.1980,c. 218,ss. 369 (1), 370 (1) to (7), 371 (1) to (4).

INTERVENOR FUNDING PROJECT ACT: 1988,c. 71 (*See also s. 16 for repeal of Part I*)

(LOI DE 1988 SUR LE PROJET D'AIDE FINANCIÈRE AUX INTERVENANTS)

LANDLORD AND TENANT ACT: R.S.O.1980,c. 232, *See* s. 131.

MINISTRY OF THE ATTORNEY GENERAL ACT: R.S.O.1980,c. 271,s. 8 (1).

NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT: R.S.O.1980,c. 316, *See* s. 26 (9).

ONTARIO ENERGY BOARD ACT: R.S.O.1980,c. 332, *See* s. 1 (2); Part II (s. 45).

PROJET D'AIDE FINANCIÈRE AUX INTERVENANTS, LOI SUR LE: 1988, chap. 71 (*Voir* aussi l'art. 16 pour l'abrogation de la partie I)
(INTERVENOR FUNDING PROJECT ACT, 1988)

REGISTRY ACT: R.S.O.1980,c. 445, *See* s. 86 (6) (for repeal of s. 86).

RESIDENTIAL COMPLEXES FINANCING COSTS RESTRAINT ACT: 1982,c. 59, *See* s. 128 of 1986,c. 63 (for repeal of Act).

RESIDENTIAL RENT REGULATION ACT: 1986,c. 63,ss. 43, 75 (i), 83 (4) and (5), 91, 92 (1) (c), 93 and 117.

RESIDENTIAL TENANCIES ACT: R.S.O.1980,c. 452,ss. 5 to 59, 62 to 69, 74, 111 to 113, 116, 119, 135 (1) and Schedule.

SALE OF GOODS ACT: R.S.O.1980,c. 462,s. 25 (3).

SUPPORT AND CUSTODY ORDERS ENFORCEMENT ACT: 1985, c. 6,s. 3 (5).

(LOI DE 1985 SUR L'EXÉCUTION D'ORDONNANCES ALIMENTAIRES ET DE GARDE D'ENFANTS)

THEATRES AMENDMENT ACT: 1984,c. 56, s. 15 [s. 40] and s. 17.

TILE DRAINAGE ACT: R.S.O.1980,c. 500,s. 3 (4), (5) *also see* s. 3 (7).

TORONTO TRANSIT COMMISSION, GRAY COACH LINES, LIMITED AND GO TRANSIT LABOUR DISPUTES SETTLEMENT ACT: 1984,c. 42, *See* s. 14 (3) (for repeal of Part II).

TABLE OF PRIVATE ACTS

Cumulative Supplement

From the 1st day of January, 1985 to the
31st day of December, 1988

This is a cumulative supplement to the Table of Private Acts published in Volume 2 of the 1984 Index to the Statutes of Ontario. The cumulative supplement is arranged under the same headings as the Table that it supplements.

PART I

Municipal Private Acts

Name of Municipality	Year and Chapter
Barrie, City	1987,c.Pr17
Brampton, City	1985,c.Pr17
Brantford, City	1986,c.Pr28
Cambridge, City	1985,c.Pr9
Chapleau, Township	1987,c.Pr14
Chatham, City	1986,c.Pr18
Cornwall, City	1986,c.Pr16
Elgin, County	1985,c.Pr16
Etobicoke, City	1988, c.Pr44
Hamilton, City	1985,c.Pr23;1986,c.Pr1;1987,cc.Pr1,Pr11; 1988, c.Pr31
Hornepayne, Township	1985,c.Pr25
Kitchener, City	1985,c.Pr28
Lindsay, Town	1987,c.Pr15
London, City	1986,c.Pr34;1987,c.Pr18
Mara, Township	1986,c.Pr21
Markham, Town	1986,c.Pr24;1988,c.Pr33
Mississauga, City	1986,c.Pr3;1987,cc.Pr4,Pr8;1988,c.Pr17
Niagara Falls, City	1985,c.Pr5
North Bay, City	1986,c.Pr35
North York, City	1985,c.Pr13;1986,c.Pr32;1988,cc.Pr24,Pr45
Oakville, Town	1988,c.Pr28
Osgoode, Township	1985,c.Pr26
Oshawa Public Utilities Commission	1988,c.Pr14
Ottawa, City	1988,c.Pr47
St. Catharines, City	1985,c.Pr4
St. Thomas, City	1987,c.Pr2
Sault Ste. Marie, City	1988,c.Pr58

Municipal Private Acts (Continued)

Name of Municipality	Year and Chapter
Scarborough, City	1986, c. Pr27
Scarborough Public Utilities Commission	1986, c. Pr10
Simcoe, County	1988, c. Pr36
Sudbury, City	1985, c. Pr18; 1988, c. Pr16
Toronto, City	1985, cc. Pr3, Pr12, Pr22; 1986, cc. Pr20, Pr33; 1987, cc. Pr3, Pr16, Pr19; 1988, cc. Pr1, Pr29, Pr32
Wasaga Beach, Town	1987, c. Pr7
Waterloo-Guelph Regional Airport	1986, c. Pr7
Windsor, City	1985, c. Pr11; 1986, c. Pr30; 1987, c. Pr22; 1988, c. Pr9
Windsor Utilities Commission	1988, c. Pr30

PART II

Other Private Acts

Name	Year and Chapter
1. Associations (other than Co-operatives)	
Balfour Beach Association	1985, c. Pr19
Big Cedar Association	1988, c. Pr12
Canadian National Exhibition Association	1985, c. Pr8
404 K-W Wing Royal Canadian Air Force Association	1985, c. Pr15
Municipal Clerks and Treasurers of Ontario, Association of	1985, c. Pr24
Ontario Association of Speech- Language Pathologists and Audiologists Act	1986, c. Pr9
Peterborough Racing Association Limited	1985, c. Pr20
Registered Wood Energy Technicians of Ontario, Association of	1988, c. Pr5

Other Private Acts (Continued)

Name	Year and Chapter
3. Clubs	
Brockville Rowing Club Incorporated	1988, c. Pr39
Cedarhurst Golf Club	1986, c. Pr22
Famee Furlane of Hamilton	1985, c. Pr1
Gottscheer Relief Association	1988, c. Pr42
Italo-Canadian Centennial Club	1986, c. Pr29
Rockton Winter Club Inc.	1988, c. Pr51
Toronto Ski Club	1988, c. Pr8
4. Companies	
4.1 General	
288093 Ontario Limited	1988, c. Pr53
329931 Ontario Limited	1988, c. Pr46
353583 Ontario Limited	1988, c. Pr7
546672 Ontario Limited	1986, c. Pr36
Adona Properties Limited	1987, c. Pr9
Agricultural Anhydrous Ammonia Co. Limited	1985, c. Pr7
Ariann Developments Inc.	1988, c. Pr56
Central Pipeline Company, Limited	1985, c. Pr6
LaPlante Lithographing Company Limited	1988, c. Pr50
L F P Management Limited	1988, c. Pr15
Mid-Continent Bond Corporation	1988, c. Pr21
Paragann Investments Limited	1986, c. Pr13
Sherrydale Investments Limited	1986, c. Pr14
Tavone Enterprises Limited	1988, c. Pr54
Traco Investments Limited	1986, c. Pr31

Other Private Acts (Continued)

Name	Year and Chapter
4.2 Insurance Companies	
Empire Life Insurance Company	1986,c.Pr12
Kingsway General Insurance Company	1988,c.Pr19
London Life Insurance Company	1986,c.Pr26
York Fire & Casualty Insurance Company	1988,c.Pr4
4.4 Mining Companies	
Lebon Gold Mines Limited	1988,c.Pr41
Machin Mines Limited	1988,c.Pr25
Mylake Mines Limited	1986,c.Pr17
Primrock Mining and Exploration Limited	1988,c.Pr35
Prow Yellowknife Gold Mines Ltd.	1988,c.Pr27
Williams Creek Gold Quartz Mining Co. Limited	1987,c.Pr5
6. Educational Institutions	
Conrad Grebel College	1988,c.Pr11
Great Lakes Bible College	1987,c.Pr10
Ontario Bible College and Ontario Theological Seminary	1986,c.Pr5
University of St. Jerome's College	1986,c.Pr23
University of Western Ontario	1988,c.Pr26
9. Homes and Refuges	
St. Elizabeth Home Society	1986,c.Pr11

Other Private Acts (Continued)

Name	Year and Chapter
10. Hospitals	
Belleville General Hospital	1985,c.Pr14
Brantford General Hospital	1986,c.Pr6
Charlotte Eleanor Englehart Hospital	1988,c.Pr49
General Hospital of Port Arthur	1988,c.Pr23
Hamilton Civic Hospitals	1988,c.Pr18
Peterborough Civic Hospital	1985,c.Pr10;1988,c.Pr40
Renfrew Victoria Hospital	1986,c.Pr8
11. Institutes	
Chartered Institute of Marketing Management of Ontario	1988,c.Pr13
Institute of Certified Management Consultants of Ontario	1986,c.Pr25
Institute of Municipal Assessors of Ontario	1987,c.Pr20
Ontario Institute of the Purchasing Management Association of Canada Inc.	1987,c.Pr21
Ontario Municipal Management Institute	1988,c.Pr20
14. Religious Institutions	
Incorporated Synod of the Diocese of Huron	1988,c.Pr45
Moravian Temple Corporation	1988,c.Pr37
United Church of Canada	1988,c.Pr22

Other Private Acts (Continued)

Name	Year and Chapter
15. Societies	
15.3 Miscellaneous, including Community and Cultural Centres	
Historic Vehicle Society of Ontario	1985,c.Pr2
Kitchener-Waterloo Foundation	1988,c.Pr55
Migraine Foundation	1987,c.Pr6
Pauline McGibbon Cultural Centre	1985,c.Pr3
Peterborough Historical Society	1988,c.Pr52
Quetico Foundation	1987,c.Pr12
Sudbury Cardio-Thoracic Foundation	1988,c.Pr6
Vic Johnston Community Centre Inc.	1988,c.Pr34
16. Young Men's and Young Women's Christian Associations	
Cambridge Y.M.C.A.	1986,c.Pr19
Owen Sound Young Men's and Young Women's Christian Association	1988,c.Pr38
17. Miscellaneous	
Alliance Française de Toronto	1986,c.Pr15
Canadian Opera Company	1987,c.Pr16
Centre in the Square	1985,c.Pr28
Centre for Educative Growth	1988,c.Pr2
Charity House (Windsor)	1985,c.Pr11
Children's Oncology Care of Ontario	1986,c.Pr2
Community Youth Programs Incorporated	1988,c.Pr10
Enoch Turner Schoolhouse Foundation	1985,c.Pr12
George A. McNamara Memorial Foundation	1988,c.Pr57

Other Private Acts (Continued)

Name	Year and Chapter
Hamilton Jewish Communal Projects	1987, c. Pr11
High Street Recreation Complex of St. Thomas and Elgin	1987, c. Pr2
Ontario Municipal Recreation	
Directors Foundation	1985, c. Pr27
Ottawa Little Theatre	1986, c. Pr4
Sarnia Kiwanis Foundation Inc.	1988, c. Pr49
Sault Ste. Marie Pied Piper	
Nursery School	1985, c. Pr21
Special Ability Riding Institute	1988, c. Pr3
Township of Osgoode Care Centre	1985, c. Pr26
Windsor Youth Marching and	
Concert Band	1987, c. Pr22
18. Railways (including Street Railways)	
Port Stanley Terminal Rail	
Incorporated	1987, c. Pr15

TABLE OF REGULATIONS

FILED UNDER THE REGULATIONS ACT
TO THE 31st DAY OF DECEMBER, 1988

Showing the Regulations contained in Revised Regulations of Ontario, 1980, regulations under the Parkway Belt Planning and Development Act and certain regulations under the Planning Act shown in the Schedule to Revised Regulations of Ontario, 1980, and subsequent Regulations filed to the 31st day of December, 1988.

	R.R.O. 1980	O.Reg.	Date of Gazette
A			
ABANDONED ORCHARDS ACT			
General.....	1		
ADMINISTRATION OF JUSTICE ACT			
Fee Payable to Provincial Court (Civil Division) Referees.....		612/85	Dec. 14/85
amended.....		690/87	Jan. 2/88
		709/88	Dec. 17/88
Fees and Allowances - Provincial Court (Civil Division).....		795/84	Jan. 5/85
amended.....		795/84	Dec. 14/85
		691/87	Jan. 2/88
amended.....		707/88	Dec. 17/88
Fees and Expenses - Court Reporters.....	2		
(revoked by 282/82)			
Court Reporters and Court Monitors.....		36/84	Feb. 11/84
amended.....		404/84	July 14/84
		795/84	Dec. 14/85
amended.....		57/87	Feb. 21/87
amended.....		693/87	Jan. 2/88
amended.....		706/88	Dec. 17/88
General.....	3		
amended.....		281/82	May 15/82
(revoked by 794/84)			
Jurors and Crown Witnesses.....	4		
amended.....		281/82	May 15/82
amended.....		607/85	Dec. 14/85

	R.R.O. 1980	O.Reg.	Date of Gazette	
Justices of the Peace.....	5			
amended.....		281/82	May	15/82
amended.....		399/84	July	07/84
amended.....		404/84	July	14/84
amended.....		676/84	Nov.	10/84
amended.....		316/85	June	29/85
(revoked by 620/85)				
Justices of the Peace.....		620/85	Dec.	14/85
amended.....		22/86	Feb.	1/86
amended.....		188/86	Apr.	19/86
amended.....		456/86	Aug.	16/86
amended.....		725/86	Dec.	27/86
amended.....		695/87	Jan.	2/88
amended.....		175/88	Apr.	16/88
amended.....		176/88	Apr.	16/88
amended.....		708/88	Dec.	17/88
Non-Salaried Court Reporters and Court Monitors.....		282/82	May	15/82
(revoked by 36/84)				
Sheriff's Officers, Process Servers, Escorts and Municipal Police Forces.....		794/84	Jan.	5/85
amended.....		603/85	Dec.	14/85
amended.....		694/87	Jan.	2/88
Fees -				
Construction Liens.....		158/83	Apr.	2/83
amended.....		405/84	July	14/84
amended.....		605/85	Dec.	14/85
Sheriffs.....	6			
amended.....		278/81	May	23/81
amended.....		281/82	May	15/82
amended.....		245/83	May	14/83
amended.....		404/84	July	14/84
(revoked by 811/84)				
Sheriffs.....		811/84	Jan.	5/85
amended.....		608/85	Dec.	14/85
(revoked by 609/86)				
Sheriffs.....		609/86	Oct.	25/86
Supreme Court and County Courts.....	7			
amended.....		281/82	May	15/82
amended.....		245/83	May	14/83
amended.....		404/84	July	14/84
(revoked by 812/84)				
Supreme Court and District Court.....		812/84	Jan.	5/85
amended.....		602/85	Dec.	14/85
(revoked by 608/86)				
Supreme Court and District Court.....		608/86	Oct.	25/86

	R.R.O. 1980	O.Reg.	Date of Gazette	
Unified Family Court.....	8			
amended.....		281/82	May	15/82
amended.....		245/83	May	14/83
amended.....		37/84	Feb.	11/84
amended.....		404/84	July	14/84
amended.....		609/85	Dec.	14/85
amended.....		607/86	Oct.	25/86
Investigation Fee - Official Guardian..... (revoked by 495/81)	9			
Investigation Fee - Official Guardian.....		495/81	Aug.	8/81
amended.....		244/83	May	14/83
amended.....		366/84	June	23/84
(revoked by 606/85)				
Investigation Fee - Official Guardian.....		606/85	Dec.	14/85
Kilometre Allowances.....		283/82	May	15/82
amended.....		404/84	July	14/84
amended.....		604/85	Dec.	14/85
Telewarrants..... (revoked by 188/86)		621/85	Dec.	14/85
To Amend Certain Regulations.....		281/82	May	15/82
AGRICULTURAL ASSOCIATIONS ACT				
Designation of Associations.....	10			
amended.....		611/81	Oct.	3/81
amended.....		852/82	Jan.	15/83
amended.....		99/83	Mar.	5/83
amended.....		413/84	July	14/84
amended.....		12/85	Jan.	26/85
amended.....		427/85	Sept.	14/85
amended.....		114/87	Mar.	21/87
AGRICULTURAL DEVELOPMENT FINANCE ACT				
Interest Rate.....	11			
amended.....		699/85	Jan.	11/86
amended.....		344/86	June	28/86
amended.....		287/88	May	28/88
amended.....		536/88	Sept.	10/88
AGRICULTURAL SOCIETIES ACT				
.....	12			
amended.....		107/83	Mar.	12/83
amended.....		131/88	Mar.	26/88
General.....		130/88	Mar.	26/88
AGRICULTURAL TILE DRAINAGE INSTALLATION ACT				
.....	13			
amended.....		85/83	Feb.	26/83

	R.P.C. 1980	O.Reg.	Date of Gazette
AMBULANCE ACT			
General.....	14	627/81	Oct. 10/81
amended.....		571/82	Sept. 11/82
amended.....		832/82	Jan. 8/83
amended.....		54/84	Feb. 18/84
amended.....		542/84	Sept. 8/84
amended.....		496/85	Oct. 26/85
AMUSEMENT DEVICES ACT, 1986			
General.....		248/86	May 17/86
(revoked by 342/87)			
		342/87	June 27/87
		351/88	June 18/88
ANATOMY ACT			
General.....	15		
amended.....		216/81	Apr. 25/81
		412/85	Aug. 31/85
ANIMALS FOR RESEARCH ACT			
General.....	16		
	17		
Research Facilities and Supply Facilities.....	18		
Transportation.....	19		
APPRENTICESHIP AND TRADESMEN'S QUALIFICATION ACT			
Air Cooled and Marine Engine Mechanic.....	20		
Alignment and Brakes Mechanic.....	21		
Auto Body Repairer.....	22		
Automotive Mechanic.....		28/84	Feb. 4/84
Automotive Machinist.....	23		
Automotive Painter.....	24		
Baker.....	25		
(revoked by 498/81)			
Baker.....		498/81	Aug. 15/81
Brick and Stone Mason.....	26		
Cement Mason.....	27		
Construction Boilermaker.....	28		

	R.R.O. 1980	O.Reg.	Date of Gazette	
Construction Millwright.....	29			
.....	30			
.....	31			
Electrician.....	32			
Farm Equipment Mechanic.....	33			
Fitter (Structural Steel/Platework).....	34			
Fuel and Electrical Systems Mechanic.....	35			
.....	36			
.....		246/81	May	9/81
.....		75/83	Feb.	12/83
.....		52/84	Feb.	18/84
.....		717/86	Dec.	27/86
.....	37			
General Machinist.....	38			
.....	39			
.....		161/86	Apr.	12/86
.....	40			
.....		728/81	Nov.	14/81
.....	41			
Heavy Duty Equipment Mechanic.....	42			
Hoisting Engineer.....		619/82	Oct.	9/82
.....		656/86	Nov.	22/86
Industrial Electrician.....		718/86	Dec.	27/86
Industrial Mechanic (Millwright).....	43			
Industrial Woodworker.....		873/81	Jan.	16/82
.....	44			
Lather.....	45			
Lipeman.....	46			
..... amended.....		150/82	Apr.	3/82
Motor Vehicle Mechanic.....	47			
Motorcycle Mechanic.....	48			
.....	49			

	R.R.O. 1980	O.Reg.	Date of Gazette	
Painter and Decorator.....	50			
amended.....		378/81	June	20/81
amended.....		160/86	Apr.	12/86
amended.....		475/86	Aug.	30/86
Plasterers.....	51			
Plumbers.....	52			
Printer.....	53			
Radio and Television Service Technician.....	54			
Refrigeration and Air-Conditioning Mechanics.....	55			
Service Station Attendant.....	56			
revoked.....		100/84	Mar.	3/84
Sheet Metal Worker.....	57			
Sprinkler and Fire Protection Installer.....	58			
Steamfitters.....	59			
Tool and Die Makers.....	60			
Transmission Mechanic.....	61			
Truck-Trailer Repairer.....	62			
Watch Repairers.....	63			
ARBITRATIONS ACT				
Fees Chargeable by Arbitrators.....	64			
ARCHITECTS ACT (See now <u>Architects Act, 1984</u>)				
Complaints.....	65			
(revoked by 517/84)				
ARCHITECTS ACT, 1984				
General.....		517/84	Sept	1/84
amended.....		810/84	Jan.	5/85
amended.....		156/85	April	20/85
amended.....		160/85	April	20/85
amended.....		599/85	Dec.	14/85
amended.....		58/86	Feb.	22/86
amended.....		368/86	July	12/86
amended.....		149/87	Apr.	11/87
amended.....		671/87	Dec.	26/87
amended.....		672/87	Dec.	26/87
amended.....		688/87	Jan.	2/88
amended.....		37/88	Feb.	6/88
amended.....		661/88	Nov.	12/88

	R.R.O. 1980	O.Reg.	Date of Gazette
--	----------------	--------	--------------------

ARTIFICIAL INSEMINATION OF LIVE STOCK ACT

General.....	66		
--------------	----	--	--

ASSESSMENT ACT

Alternative Period for Census.....		305/85	June 22/85
Application for Direction of School Support..... (revoked by 798/82)		641/82	Oct. 16/82
Application for Direction of School Support..... (revoked by 295/86)		798/82	Dec. 25/82
Application for Direction of School Support..... (revoked by 627/88)		295/86	June 7/86
Application for Direction of School Support.....		627/88	Oct. 22/88
Assessment Areas and Regions..... (revoked by 144/82)	67		
Assessment Areas and Regions.....		144/82	Mar. 27/82
Assessment Notices..... revoked	68	797/82	Dec. 25/82
Assessment Notices.....		3/87	Jan. 24/87
Assessment Notices of Supplementary or Omitted Assessment.....		466/87	Aug. 22/87
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		4/81	Jan. 24/81
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		5/81	Jan. 24/81
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		32/81	Feb. 14/81
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		760/81	Nov. 28/81
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		866/81	Jan. 19/82
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		867/81	Jan. 19/82
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		787/82	Dec. 18/82
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		9/83	Jan. 22/83

	R.R.O. 1980	O.Reg.	Date of Gazette	
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		51/83	Feb.	5/83
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		15/84	Jan.	28/84
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		95/84	March	3/84
amended.....		360/85	July	13/85
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		74/85	Feb.	23/85
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		89/85	Mar.	9/85
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		4/86	Jan.	25/86
amended.....		66/86	Feb.	22/86
amended.....		100/86	Mar.	15/86
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		35/87	Feb.	14/87
amended.....		90/87	Mar.	7/87
amended.....		229/87	May	16/87
Equalization of Assessments Made Under Section 63 of the Assessment Act.....		127/88	Mar.	19/88
amended.....		283/88	May	21/88
Interior Information Questionnaire.....	69			
Municipal Enumeration Notice..... (revoked by 594/82)	70			
Municipal Enumeration Notice..... (revoked by 487/85)		594/82	Sept.	18/82
Municipal Enumeration Notice..... (revoked by 345/88)		487/85	Oct.	19/85
Municipal Enumeration Notice.....		345/88	June	18/88
Pipe Line Rates.....	71			
Pipe Line Rates		316/83	June	11/83
amended.....		529/85	Nov.	9/85
amended.....		73/86	Mar.	1/86
Pipe Line Rates.....		34/87	Feb.	14/87
amended.....		228/87	May	16/87
Pipe Line Rates.....		414/88	July	16/88
Pipe Line Rates in Muskoka and Frontenac.....				

	R.R.O. 1980	O.Reg.	Date of Gazette
Pipe Line Rates in Part of the District of Algoma and Part of The Regional Municipality of Ottawa-Carleton.....		684/86	Dec. 13/86
Pipe Line Rates in Parts of the Counties of Peterborough, Simcoe and Victoria and in Parts of the Districts of Sudbury and Algoma.....		89/87 267/87	Mar. 7/87 May 30/87
amended.....			
Pipe Line Rates in the County of Huron and Parts of the counties of Haliburton, Hastings, Peterborough, Simcoe and Victoria and Part of the District of Timiskaming.....		469/88	Aug. 6/88
Pipe Line Rates in The Regional Municipality of Sudbury.....		375/86	July 12/86
Postponement of 1981 Census.....		589/81	Sept. 12/81
Property Income Questionnaire.....	73		
Voter Identification Notice Under the <u>Municipal Elections Act</u>		488/88	Aug. 13/88
ASSESSMENT REVIEW COURT ACT (See now Assessment Review Board Act)			
Procedure.....	74		
ASSESSMENT REVIEW BOARD ACT			
Procedure.....		419/84	July 14/84
ATHLETICS CONTROL ACT			
Amount of Tax.....	75		
General.....	76		
(revoked by 544/85)			
.....		544/85	Nov. 16/85
B			
BAFFIN ACT			
.....	77		
amended.....		610/83	Oct. 15/83
amended.....		267/86	May 24/86
INNISFIL ANNEXATION ACT, 1981			
Wards and Composition of Council.....		298/82	May 22/82

	R.R.O. 1980	O.Reg.	Date of Gazette
BARRIE-VESPRE ANNEXATION ACT, 1984			
Wards and Composition of Council.....		142/85	Apr. 20/85
BEACH PROTECTION ACT			
General.....	78		
BEEF CATTLE MARKETING ACT			
General.....	79		
amended.....		651/81	Oct. 17/81
amended.....		276/82	May 8/82
amended.....		555/88	Sept. 24/88
Weighing of Beef Carcasses.....	80		
amended.....		341/82	June 12/82
amended.....		129/86	Apr. 5/86
Weighing of Live Cattle.....		340/82	June 12/82
amended.....		128/86	Apr. 5/86
BEEES ACT			
General.....	81		
amended.....		567/85	Nov. 23/85
amended.....		721/88	Dec. 24/88
BILLS OF SALE ACT			
General.....	82		
amended.....		138/84	March 17/84
BLIND PERSONS' RIGHTS ACT			
Dog Guides.....	83		
amended.....		102/85	March 16/85
amended.....		459/86	Aug. 16/86
BOTILERS AND PRESSURE VESSELS ACT			
General.....	84		
amended.....		179/82	Apr. 10/82
amended.....		640/83	Oct. 29/83
amended.....		451/85	Sept. 28/85
amended.....		531/86	Sept. 20/86
BOUNDARIES ACT			
General.....	85		
amended.....		133/84	March 17/84
amended.....		263/86	May 24/86
amended.....		66/88	Feb. 20/88
BRANTFORD-BRANT ANNEXATION ACT, 1980			
Order of the Minister - Transitional Mill Rates - 1982.....		531/82	Aug. 21/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Order of the Minister - Transitional Mill Rates - 1983.....		575/83	Sept. 24/83
Order of the Minister - Transitional Mill Rates - 1984.....		380/84	June 30/84
Order of the Minister - Transitional Mill Rates - 1985.....		419/85	Sept. 7/85
Order of the Minister - Transitional Mill Rates - 1986.....		467/86	Aug. 23/86
Transportation and Service Corridor.....		669/85	Jan. 4/86
Wards and Composition of Council and Public Utilities Commission.....		153/82	Apr. 3/82
BRUCELLOSIS ACT			
Vaccination.....	86		
BUILDING CODE ACT			
General.....	87		
amended.....		103/81	Mar. 14/81
amended.....		230/81	Apr. 25/81
		/81	Nov. 14/81
(revoked by 583/83)			
General.....		583/83	Oct. 8/83
amended.....		549/84	Sept. 8/84
(revoked by 419/86)			
General.....		419/86	Aug. 9/86
amended.....		183/86	Apr. 23/86
amended.....		581/88	Oct. 8/88
BUSINESS CORPORATIONS ACT			
(See now <u>Business Corporations Act, 1982</u>)			
Names.....	88		
(revoked by 446/83)			
BUSINESS CORPORATIONS ACT, 1982			
General		446/83	July 30/83
amended.....		678/83	Nov. 12/83
amended.....		199/84	April 14/84
amended.....		669/84	Nov. 10/84
amended.....		778/84	Dec. 22/84
amended.....		148/85	April 20/85
amended.....		495/85	Oct. 19/85
amended.....		681/85	Jan. 4/86
amended.....		159/87	Apr. 11/87
amended.....		452/88	July 30/88
amended.....		748/88	Dec. 31/88

	R.R.O. 1980	O.Reg.	Date of Gazette
CANADIAN INSURANCE EXCHANGE ACT, 1986			
General.....		751/86	Jan. 10/87
CEMETERIES ACT			
.....	89		
amended.....		472/81	Aug. 1/81
.....		824/82	Nov. 1/83
.....		839/82	Dec. 8/83
.....		179/83	Apr. 16/83
.....		240/83	May. 14/83
.....		763/83	Dec. 24/83
.....		176/84	Apr. 7/84
.....		403/84	June 14/84
.....		109/87	Mar. 14/87
.....		189/87	Dec. 18/87
.....		625/87	Dec. 5/87
.....		63/88	Mar. 20/88
.....		331/88	June 4/88
.....		427/88	June 23/88
.....		523/88	Sept. 3/88
.....	90		
.....	91		
.....		222/81	Apr. 25/81
.....		223/81	Apr. 25/81
CENTENNIAL CENTRE OF SCIENCE AND TECHNOLOGY ACT			
.....	92		
.....		211/82	Apr. 24/82
.....		77/84	Feb. 25/84
.....		294/84	May 19/84
.....		381/86	July 12/86
.....		294/87	June 13/87
CERTIFICATION OF TITLES ACT			
.....	93		
amended.....		595/82	Sept. 18/82
amended.....		134/84	March 17/84
amended.....		581/84	Sept. 29/84
amended.....		264/86	May 24/86
amended.....		67/88	Feb. 20/88
CHANGE OF NAME ACT			
Fees and Forms.....	94		
revoked.....		307/88	May 28/88
CHANGE OF NAME ACT, 1986			
General.....		64/87	Feb. 28/87 (1)

R.R.O. 1980	O.Reg.	Date of Gazette
----------------	--------	--------------------

CHARITABLE INSTITUTIONS ACT

95

.....	49/81	Feb.	21/81
.....	187/81	Apr.	11/81
.....	271/81	May	16/81
.....	481/81	Aug.	1/81
.....	615/81	Oct.	3/81
.....	698/81	Nov.	7/81
.....	814/81	Dec.	26/81
.....	69/82	Feb.	20/82
.....	311/82	May	22/82
.....	455/82	July	17/82
.....	549/82	Aug.	21/82
.....	553/82	Aug.	21/82
.....	720/82	Nov.	13/82
.....	71/83	Feb.	12/83
.....	274/83	May.	21/83
.....	461/83	Aug.	6/83
.....	580/83	Oct.	1/83
.....	648/83	Oct.	29/83
.....	697/83	Nov.	19/83
.....	729/83	Dec.	10/83
.....	766/83	Dec.	24/83
.....	63/84	Feb.	18/84
.....	79/84	Feb.	25/84
.....	310/84	June	2/84
.....	327/84	June	9/84
.....	496/84	Aug.	18/84
.....	627/84	Oct.	20/84
.....	704/84	Nov.	17/84
.....	27/85	Feb.	9/85
.....	209/85	May	25/85
.....	351/85	July	6/85
.....	400/85	Aug.	17/85
.....	553/85	Nov.	16/85
.....	47/86	Feb.	15/86
.....	138/86	Apr.	5/86
.....	246/86	May	17/86
.....	366/86	July	12/86
.....	442/86	Aug.	16/86
.....	641/86	Nov.	15/86
.....	38/87	Feb.	14/87
.....	224/87	May	9/87
.....	382/87	July	11/87
.....	451/87	Aug.	15/87
.....	591/87	Nov.	14/87
.....	48/88	Feb.	13/88
.....	267/88	May	14/88
.....	482/88	Aug.	13/88
.....	509/88	Aug.	27/88
.....	648/88	Nov.	12/88

CHILD AND FAMILY SERVICES ACT, 1980

.....	550/85	Nov.	16/85
.....	269/87	June	6/87
.....	347/87	July	4/87
.....	400/87	July	25/87

	R.R.O. 1980	O.Reg.	Date of Gazette	
amended.....		624/87	Dec.	5/87
amended.....		219/88	Apr.	30/88
General.....		551/85	Nov.	16/85
CHILD WELFARE ACT (See now <u>Child and Family Services Act, 1984</u>)				
General.....	96			
amended.....		72/81	Mar.	7/81
amended.....		787/81	Dec.	5/81
amended.....		102/82	Mar.	6/82
amended.....		484/82	July	31/82
(revoked by 550/85)				
Practice and Procedure of Societies.....	97			
(revoked by 550/85)				
CHILDREN'S INSTITUTIONS ACT (See now <u>Child and Family Services Act, 1984</u>)				
General.....	98			
amended.....		815/81	Dec.	26/81
amended.....		730/83	Dec.	10/83
(revoked by 550/85)				
CHILDREN'S LAW REFORM ACT				
General.....	99			
amended.....		458/86	Aug.	16/86
CHILDREN'S MENTAL HEALTH SERVICES ACT (See now <u>Child and Family Services Act, 1984</u>)				
General.....	100			
amended.....		816/81	Dec.	26/81
amended.....		145/83	Mar.	26/83
amended.....		521/83	Sept.	3/83
(revoked by 550/85)				
CHILDREN'S RESIDENTIAL SERVICES ACT (See now <u>Child and Family Services Act, 1984</u>)				
General.....	101			
amended.....		817/81	Dec.	26/81
amended.....		760/82	Dec.	4/82
amended.....		29/83	Feb.	5/83
(revoked by 28/83 But SEE section 59(2) of O.Reg. 28/83)				
General.....		28/83	Feb.	5/83
(revoked by 550/85)				
CHIROPODY ACT				
General.....	102			
amended.....		169/81	Apr.	11/81
amended.....		590/81	Sept.	12/81
amended.....		24/83	Jan.	29/83

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		18/84	Jan. 28/84
amended.....		94/85	Mar. 9/85
amended.....		103/87	Mar. 14/87
amended.....		583/88	Oct. 8/88

CITY OF TORONTO 1981 ASSESSMENT COMPLAINTS ACT, 1982

Property Omitted from Schedule.....		812/82	Jan. 1/83
-------------------------------------	--	--------	-----------

COLLECTION AGENCIES ACT

General.....	103		
amended.....		137/81	Mar. 28/81
amended.....		701/81	Nov. 7/81
amended.....		147/82	Apr. 3/82
amended.....		346/82	June 12/82
amended.....		590/83	Oct. 1/83
amended.....		615/83	Oct. 15/83
amended.....		268/86	May 24/86

COMMISSIONERS FOR TAKING AFFIDAVITS ACT

Fees.....	104		
amended.....		368/84	June 23/84
amended.....		611/85	Dec. 14/85

COMMODITY BOARDS AND MARKETING AGENCIES ACT

Levies -			
Cream.....	105		
amended.....		379/82	June 19/82
amended.....		855/82	Jan. 15/83
amended.....		482/83	Aug. 20/83
Milk.....	106		
Levies or Charges -			
Chicken.....	107		
amended.....		106/83	Mar. 12/83
amended.....		779/83	Dec. 31/83
amended.....		687/87	Jan. 2/88
amended.....		729/88	Dec. 31/88
Chicken (Over Quota).....	108		
amended.....		33/81	Feb. 14/81
amended.....		773/84	Dec. 22/84
Cream.....	109		
Eggs.....	110		
amended.....		462/81	July 25/81
amended.....		98/83	Mar. 5/83
amended.....		713/83	Nov. 26/83
amended.....		760/86	Jan. 17/87
amended.....		467/88	Aug. 6/88
Eggs (Overquota).....		759/86	Jan. 17/87
Fowl.....			

	R.R.O. 1980	O.Reg.	Date of Gazette
Hatching Eggs.....		367/87	July 11/87
amended.....	112	275/82	May 8/82
amended.....		518/82	Aug. 14/82
amended.....		814/82	Jan. 1/83
amended.....		514/83	Aug. 27/83
amended.....		512/84	Aug. 25/84
amended.....		426/85	Sept. 14/85
amended.....		505/86	Sept. 13/86
Tobacco.....		619/86	Nov. 1/86
Turkeys.....	113		
COMMUNITY FISHING ACT			
amended.....	114	226/81	Apr. 25/81
amended.....		809/82	Dec. 25/82
amended.....		622/84	Oct. 20/84
amended.....		684/85	Jan. 4/86
amended.....		454/86	Jan. 4/86
amended.....		382/86	July 12/86
COMMUNITY PSYCHIATRIC HOSPITALS ACT			
General.....	115		
Grants.....	116		
COMMUNITY RECREATION CENTRES ACT			
COMMUTER SERVICES ACT			
Dial-A-Bus Service.....	118		
COMPULSORY AUTOMOBILE INSURANCE ACT			
(revoked by 402/81)	119		
Certificate of Insurance.....		402/81	July 4/81
CONDOMINIUM ACT			
General.....	121		
amended.....		348/82	June 12/82
amended.....		165/83	Apr. 9/83
amended.....		582/84	Sept. 29/84
Surveys and The Description.....	122		
amended.....		133/81	Mar. 28/81
amended.....		349/82	June 12/82
amended.....		237/85	June 1/85

	R.R.O. 1980	O.Reg.	Date of Gazette	
CONSERVATION AUTHORITIES ACT				
Conservation Areas -				
Ausable - Bayfield..... (revoked by 330/88)	123			
Ausable - Bayfield.....		330/88	June	4/88
Cataraqui Region..... (revoked by 197/88)	124			
Cataraqui Region.....		197/88	Apr.	23/88
Catfish Creek..... (revoked by 86/88)	125			
Catfish Creek.....		86/88	Mar.	5/88
Central Lake Ontario..... (revoked by 198/88)	126			
Central Lake Ontario.....		198/88	Apr.	23/88
Credit Valley..... (revoked by 199/88)	127			
Credit Valley.....		199/88	Apr.	23/88
Crowe Valley..... (revoked by 292/88)	128			
Crowe Valley.....		292/88	May	28/88
Essex Region..... (revoked by 200/88)	129			
Essex Region.....		200/88	Apr.	23/88
Ganaraska Region.....	130			
Grand River..... (revoked by 293/88)	131			
Grand River.....		293/88	May	28/88
Grey Sauble.....		294/88	May	28/88
Hamilton Region..... (revoked by 114/88)	132			
Hamilton Region.....		114/88	Mar.	12/88
Halton Region..... (revoked by 365/88)	133			
Halton Region.....		365/88	June	25/88
Kawartha Region.....		295/88	May	28/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Kettle Creek Region..... (revoked by 201/88)	134		
Kettle Creek.....		201/88	Apr. 22/88
Lake Simcoe Region.....		366/88	June 25/88
Lake Simcoe Region.....		296/88	May 28/88
Long Point Region..... (revoked by 54/88)	135		
Long Point Region.....		54/88	Feb. 13/88
Lower Thames Valley..... (revoked by 297/88)	136		
Lower Thames Valley.....		297/88	May 28/88
Lower Thames Valley.....		115/88	Mar. 12/88
Maitland Valley..... (revoked by 55/88)	137		
Maitland Valley.....		55/88	Feb. 13/88
Maitland Valley..... (revoked by 367/88)	138		
Mattagami Region.....		367/88	June 25/88
Metropolitan Toronto and Region..... (revoked by 593/88)	139		
Metropolitan Toronto and Region.....		593/88	Oct. 15/88
Mississippi Valley.....		202/88	Apr. 23/88
Moir River.....		594/88	Oct. 15/88
Napanee Region..... (revoked by 116/88)	140		
Napanee Region.....		116/88	Mar. 12/88
Niagara Peninsula..... (revoked by 298/88)	141		
Niagara Peninsula.....		298/88	May 28/88
Nickel District.....		203/88	Apr. 23/88
North Bay-Mattawa.....		204/88	Apr. 23/88
North Grey Region.....	142		
Nottawasaga Valley..... (revoked by 56/88)	143		

	R.R.O. 1980	O.Reg.	Date of Gazette
Nottawasaga Valley.....		56/88	Feb. 13/88
Otonabee Region..... (revoked by 595/88)	144		
Otonabee Region.....		595/88	Oct. 15/88
Prince Edward Region..... (revoked by 118/88)	145		
Prince Edward Region.....		118/88	Mar. 12/88
Pideau Valley..... (revoked by 205/88)	146		
Pideau Valley.....		205/88	Apr. 23/88
St. Clair Region..... (revoked by 117/88)	147		
St. Clair Region.....		117/88	Mar. 12/88
Saugeen Valley.....	148		
Saugeen Valley.....	149		
Sault Ste. Marie Region..... (revoked by 206/88)	150		
Sault Ste. Marie Region.....		206/88	Apr. 23/88
South Lake Simcoe.....	151		
South Nation River.....		628/88	Oct. 22/88
Upper Thames River..... (revoked by 57/88)	152		
Upper Thames River.....		57/88	Feb. 13/88
Fill -			
Assaulte River..... (revoked by 544/84)	153		
Grand Valley.....	154		
Moina River.....	155		
Spencer Creek.....	156		
Fill and Alteration to Waterways -			
Long Point Region..... (revoked by 545/84)	157		
Raisin Region.....	158		
Sault Ste. Marie Region.....		683/81	Oct. 31/81

	R.R.O. 1980	O.Reg.	Date of Gazette
Fill, Construction and Alteration to Waterways - Ausable-Bayfield.....		544/84	Sept. 8/84
Cataraqui Region.....	159		
Central Lake Ontario.....	161		
Essex Region.....		730/82	Nov. 20/82
amended.....		784/84	Dec. 29/84
amended.....		437/85	Sept. 14/85
Ganaraska Region Conservation Authority....		576/84	Sept. 29/84
(revoked by 154/86)			
Grand River.....		154/86	Apr. 12/86
amended.....		631/88	Nov. 5/88
Halton Region.....	164		
Hamilton Region.....	165		
amended.....		73/85	Feb. 23/85
(revoked by 617/86)			
Hamilton Region.....		617/86	Nov. 1/86
Kettle Creek.....	166		
(revoked by 446/86)			
Kettle Creek.....		446/86	Aug. 16/86
Long Point Region Conservation Authority...		545/84	Sept. 8/84
amended.....		491/85	Oct. 19/85
Lower Thames Valley.....	168		
Maitland Valley.....		503/81	Aug. 15/81
amended.....		313/84	June 2/84
Mattagami Region.....	169		
(revoked by 611/86)			
Mattagami Region.....		611/86	Oct. 25/86
Metropolitan Toronto and Region.....	170		
(revoked by 293/86)			
Metropolitan Toronto and Region.....		293/86	June 7/86
Mississippi Valley (The).....		211/88	Apr. 23/88
Napanee Region Conservation Authority.....		436/85	Sept. 14/85

	R.R.O. 1980	O.Reg.	Date of Gazette
Niagara Peninsula..... (revoked by 82/86)		220/81	Apr. 25/81
Niagara Peninsula.....		82/86	Mar. 8/86
Nickel District.....	171		
North Bay-Mattawa.....		278/85	June 15/85
North Grey.....	172		
North Simcoe Valley..... amended.....	173	423/83	July 16/83
Parry Sound Region.....	174		
Rideau Valley.....	175		
St. Catharines Region.....	176		
South Lake Simcoe.....	177		
Upper Thames River..... amended..... (revoked by 171/88)	180	349/85	July 6/85
Upper Thames River..... amended.....		395/84	July 7/84
Upper Thames River..... amended.....		171/88 303/88	Apr. 16/88 May 28/88

CONSOLIDATED HEARINGS ACT, 1981

Conservation Authorities Act..... amended.....	194/84 8/87	Apr. Jan.	14/84 14/87
Hearings..... amended.....	688/81 200/82	Oct. Apr.	31/81 17/82
Redhill Creek Expressway now Conservation Authorities Act (see 8/87)			

CONSTRUCTION LIEN ACT, 1983**CONSUMER PROTECTION ACT**

General.....	181		
amended.....		102/81	Mar. 14/81
amended.....		702/81	Nov. 7/81
amended.....		614/83	Oct. 15/83
amended.....		269/86	May 24/86

	R.R.O. 1980	O.Reg.	Date of Gazette	
CONSUMER REPORTING ACT				
.....	182			
amended.....		345/82	June	12/82
amended.....		616/83	Oct.	15/83
amended.....		270/86	May	24/86
CO-OPERATIVE CORPORATIONS ACT				
.....	183			
amended.....		144/86	Apr.	5/86
CO-OPERATIVE LOANS ACT				
General.....	184			
CORONERS ACT				
General.....	185			
amended.....		648/81	Oct.	17/81
amended.....		533/82	Aug.	21/82
amended.....		67/84	Feb.	18/84
amended.....		302/84	May	26/84
amended.....		297/86	May	31/86
amended.....		589/86	Oct.	18/86
amended.....		521/87	Sept.	19/87
amended.....		611/88	Oct.	15/88
CORPORATION SECURITIES REGISTRATION ACT				
Fees.....	190			
amended.....		676/83	Nov.	12/83
amended.....		201/84	Apr.	14/84
amended.....		670/84	Nov.	10/84
amended.....		162/87	Apr.	11/87
amended.....		455/88	July	30/88
CORPORATIONS ACT				
Evidence of Bona Fides on Applications..... (revoked by 152/82)	186			
General..... (revoked by 152/82)	187			
General.....		152/82	Apr.	3/82
amended.....		519/82	Aug.	14/82
amended.....		674/82	Oct.	23/82
amended.....		677/83	Nov.	12/83
amended.....		200/84	Apr.	14/84
amended.....		668/84	Nov.	10/84
amended.....		779/84	Dec.	22/84
amended.....		42/85	Feb.	9/85
amended.....		116/85	Mar.	23/85
amended.....		682/85	Jan.	4/86
amended.....		160/87	Apr.	11/87
amended.....		217/87	May	9/87
amended.....		453/88	July	30/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Insider Trading and Proxy Solicitation..... (revoked by 152/82)	188		
CORPORATIONS INFORMATION ACT			
General.....	189		
amended.....		838/82	Jan. 8/83
amended.....		202/84	Apr. 14/84
amended.....		231/85	June 1/85
amended.....		161/87	Apr. 11/87
amended.....		454/88	July 30/88
amended.....		698/88	Dec. 3/88
CORPORATIONS TAX ACT			
General.....	191		
amended.....		36/82	Feb. 13/82
amended.....		245/82	May 1/82
amended.....		254/82	May 1/82
amended.....		268/82	May 8/82
amended.....		466/83	Aug. 6/83
amended.....		511/83	Aug. 27/83
amended.....		756/83	Dec. 17/83
amended.....		647/84	Oct. 27/84
amended.....		191/85	May 11/85
amended.....		763/86	Jan. 17/87
amended.....		126/87	Mar. 28/87
COSTS OF DISTRESS ACT			
Costs.....	192		
amended.....		689/87	Jan. 2/88
COUNTY COURTS ACT			
(See now Courts of Justice Act, 1984)			
Sittings of the County Court for the Judicial District of Waterloo..... (expired)		10/81	Jan. 31/81
Sittings of the County Court for the Judicial District of Hamilton..... (expired)		11/81	Jan. 31/81
Sittings of the County Court for the Judicial District of Peel..... (expired)		341/81	June 6/81
Sittings of the County Court for the Counties and Districts of Ontario..... (expired)		853/81	Jan. 9/82
Sittings of the District Court for the District of Muskoka..... (expired)		385/82	June 19/82
Sittings of the County and District Courts for the Judicial District of Peel..... (expired)		386/82	June 19/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Sittings of the County Court for the Counties and Districts of Ontario..... (expired)		828/82	Jan. 8/83
Sitting of the County Court for the Judicial District of Hamilton-Wentworth..... (expired)		27/83	Jan. 29/83
Sittings of the District Court for the District of Kenora..... (expired)		174/83	Apr. 16/83
Sittings of the County Court for the Judicial District of York..... (expired)		338/83	June 25/83
Sittings of the County Court for the Judicial District of Peel..... (expired)		339/83	June 25/83
Sittings of the County Court for the District of Parry Sound..... (expired)		433/83	July 13/83
Sittings of the County Court for the County of Perth..... (expired)		434/83	July 23/83
Sittings of the County Court for the Districts and Counties of Ontario..... (expired)		764/83	Dec. 24/83
Sittings of the County Court for the Counties of Peterborough, Prescott and Russell, Lambton and Wellington..... (expired)		16/84	Jan. 28/84
Sittings of the County Court for the Judicial District of Peel..... (expired)		17/84	Jan. 28/84
Sittings of the County Court for the County of Perth..... (expired)		373/84	June 30/84

COUNTY JUDGES ACT

(See now Courts of Justice Act, 1984)

County and District Court Districts..... 193
(expired)

COURTS OF JUSTICE ACT, 1984

Designated Courts..... 392/86 July 12/86 (B)
(revoked by 12/87)

Designated Courts..... 12/87 Jan. 31/87 (B)

	R.R.O. 1980	O.Reg.	Date of Gazette	
Designated Courts -				
Bilingual Proceedings.....		806/84	Jan.	5/85
amended.....		432/87	Aug.	8/87
District Court of Ontario.....		785/84	Dec.	29/84
amended.....		138/87	Apr.	4/87
amended.....		404/87	July	25/87
Duties of Clerks and Bailiffs of the Provincial Court (Civil Division).....		796/84	Jan.	5/85
High Court - Composition.....		684/83	Nov.	12/83
(revoked by 204/85)				
High Court - Composition.....		204/85	May	25/85
Part-time Provincial Judges Authorized to Practise Law.....	808			
amended.....		81/81	Mar.	14/81
amended.....		719/81	Nov.	14/81
amended.....		574/82	Sept.	11/82
amended.....		566/83	Sept.	24/83
amended.....		332/84	June	16/84
(revoked by 228/85)				
Part-Time Provincial Judges Authorized to Practice Law.....		228/85	June	1/85
Provincial Judges Benefits.....		332/84	June	16/84
amended.....		803/84	Jan.	5/85
amended.....		270/85	June	15/85
amended.....		696/86	Dec.	13/86
amended.....		335/87	June	27/87
Rules of Civil Procedure.....		560/84	Sept.	22/84 (B)
amended.....		786/84	Dec.	29/84
amended.....		478/85	Oct.	5/85
amended.....		221/86	May	10/86
amended.....		323/86	June	21/86
amended.....		484/86	Aug.	30/86
amended.....		366/87	July	11/87
amended.....		212/88	Apr.	23/88
Rules of Practice and Procedure of the Provincial Offences Courts.....	809			
amended.....		651/82	Oct.	16/82
amended.....		519/87	Sept.	19/87
Rules of Practice and Procedure - Unified Family Court.....	939			
amended.....		653/82	Oct.	16/82
amended.....		807/84	Jan.	5/85
amended.....		104/85	Mar.	16/85
amended.....		571/85	Nov.	23/85
amended.....		93/86	Mar.	8/86
amended.....		324/86	June	21/86
amended.....		388/87	July	18/87

	R.R.O. 1980	O.Reg.	Date of Gazette
Rules of the Provincial Court (Civil Division).....		797/84	Jan. 5/85
amended.....		158/85	Apr. 20/85
amended.....		754/86	Jan. 10/87
Rules of the Provincial Court (Family Division).....	810		
amended.....		652/82	Oct. 16/82
amended.....		808/84	Jan. 5/85
amended.....		103/85	Mar. 16/85
amended.....		570/85	Nov. 23/85
amended.....		94/86	Mar. 8/86
amended.....		387/87	July 18/87
Salaries and Benefits of Masters.....	539		
amended.....		427/81	July 11/81
amended.....		576/82	Sept. 11/82
amended.....		371/83	July 9/83
amended.....		567/83	Sept. 24/83
amended.....		333/84	June 16/84
amended.....		805/84	Jan. 5/85
amended.....		229/85	June 1/85
amended.....		463/85	Sept. 28/85
amended.....		672/85	Jan. 4/86
amended.....		571/86	Oct. 11/86
amended.....		62/88	Feb. 20/88
Salaries and Benefits of Provincial Judges.....	811		
amended.....		426/81	July 11/81
amended.....		177/82	Apr. 10/82
amended.....		573/82	Sept. 11/82
amended.....		372/83	July 9/83
amended.....		565/83	Sept. 24/83
amended.....		332/84	June 16/84
amended.....		804/84	Jan. 5/85
amended.....		227/85	June 1/85
amended.....		547/85	Nov. 16/85
amended.....		514/86	Sept. 13/86
amended.....		61/88	Feb. 20/88
Territorial Divisions for the Provincial Court (Civil Division).....		159/85	Apr. 20/85
amended.....		566/85	Nov. 23/85
amended.....		346/88	June 18/88

CREDIT UNIONS AND CAISSES POPULAIRES ACT

Annual Premium.....		150/87	Apr. 11/87
amended.....		45/88	Feb. 13/88
Credit Union Leagues.....	194		
amended.....		59/81	Feb. 21/81
Designations Under Section 84 of the Act.....		802/82	Dec. 25/82
General.....	195		
amended.....		744/83	Dec. 17/83
amended.....		145/86	Apr. 5/86

	R.R.O. 1980	O.Reg.	Date of Gazette
General.....		62/85	Feb. 23/85
Membership in Credit Unions.....	196		
Membership in Credit Union Leagues.....		58/81	Feb. 21/81
Stabilization Funds.....		151/87	Apr. 11/87
CROP INSURANCE ACT (ONTARIO)			
Arbitration Proceedings.....	197		
amended.....		81/84	Feb. 25/84
Crop Insurance Plan -			
Apples.....	198		
amended.....		768/81	Dec. 5/81
amended.....		37/83	Feb. 5/83
amended.....		754/83	Dec. 17/83
amended.....		796/83	Jan. 7/84
amended.....		82/84	Feb. 25/84
amended.....		6/85	Jan. 26/85
amended.....		647/85	Dec. 28/85
amended.....		675/86	Dec. 13/86
amended.....		222/88	Apr. 30/88
amended.....		730/88	Dec. 31/88
Asparagus.....		353/84	June 23/84
amended.....		659/87	Dec. 19/87
Beets.....	199		
(revoked by 313/81)			
Black Tobacco.....	200		
amended.....		376/81	June 20/81
amended.....		307/83	June 4/83
amended.....		573/83	Sept. 24/83
amended.....		464/84	Aug. 4/84
amended.....		490/87	Sept. 12/87
Burley Tobacco.....	201		
amended.....		375/81	June 20/81
amended.....		308/83	June 4/83
amended.....		572/83	Sept. 24/83
amended.....		463/84	Aug. 4/84
amended.....		491/87	Sept. 12/87
Cabbage and Carrots.....	202		
(revoked by 313/81)			
Carrots.....		217/82	Apr. 24/82
amended.....		271/83	May. 21/83
amended.....		461/84	Aug. 4/84
amended.....		293/85	June 22/85
amended.....		508/86	Sept. 13/86
amended.....		326/87	June 27/87
amended.....		324/88	June 4/88
Cauliflower.....	203		
(revoked by 313/81)			

	R.R.O. 1980	O.Reg.	Date of Gazette	
Coloured Beans.....	204			
amended.....		304/81	May	23/81
amended.....		92/82	Mar.	6/82
amended.....		215/82	Apr.	24/82
amended.....		44/83	Feb.	5/83
amended.....		141/84	March	17/84
amended.....		288/85	June	22/85
amended.....		320/87	June	27/87
amended.....		223/88	Apr.	30/88
Corn.....	205			
amended.....		310/81	May	30/81
amended.....		89/82	Mar.	6/82
amended.....		45/83	Feb.	5/83
amended.....		147/84	March	17/84
amended.....		298/85	June	22/85
amended.....		319/87	June	27/87
amended.....		276/88	May	21/88
Cucumbers.....		462/84	Aug.	4/84
amended.....		294/85	June	22/85
amended.....		291/86	May	31/86
amended.....		323/87	June	27/87
amended.....		226/88	Apr.	30/88
Flue-Cured Tobacco.....	206			
amended.....		311/81	May	30/81
amended.....		94/82	Mar.	6/82
amended.....		630/82	Oct.	9/82
amended.....		388/83	July	9/83
amended.....		359/84	June	23/84
amended.....		511/84	Aug.	25/84
amended.....		524/85	Nov.	2/85
amended.....		600/86	Oct.	25/86
Fresh Market Crops.....	207			
(revoked by 313/81)				
Fruit and Vegetables now Specialty Crops (see 465/84)				
Grapes.....	208			
amended.....		769/81	Dec.	5/81
amended.....		793/82	Dec.	18/82
amended.....		7/85	Jan.	26/85
amended.....		650/85	Dec.	28/85
amended.....		68/88	Feb.	20/88
Green and Wax Beans.....	209			
amended.....		504/82	Aug.	7/82
amended.....		263/83	May	21/83
amended.....		355/84	June	23/84
amended.....		289/85	June	22/85
amended.....		205/86	May	3/86
amended.....		318/87	June	27/87
amended.....		319/88	June	4/88

	R.R.O. 1980	O.Reg.	Date of Gazette	
Hay and Pasture.....	210			
amended.....		50/83	Feb.	5/83
amended.....		145/84	March	17/84
amended.....		466/84	Aug.	4/84
Hay Seeding Establishment.....	211			
amended.....		146/84	March	17/84
amended.....		300/85	June	22/85
amended.....		224/88	Apr.	30/88
Honey.....		605/88	Oct.	15/88
Lima Beans.....	212			
amended.....		350/81	June	13/81
amended.....		503/82	Aug.	7/82
amended.....		358/84	June	23/84
amended.....		206/86	May	3/86
amended.....		317/87	June	27/87
Oil Seed.....		297/84	May	26/84
amended.....		295/85	June	22/85
amended.....		312/87	June	27/87
amended.....		279/88	May	21/88
Onions.....		541/86	Sept.	20/86
amended.....		322/87	June	27/87
amended.....		326/88	June	4/88
Onions Grown from Seed.....	213			
amended.....		287/81	May	23/81
amended.....		220/82	Apr.	24/82
amended.....		750/82	Nov.	27/82
amended.....		265/83	May	21/83
amended.....		460/84	Aug.	4/84
amended.....		304/85	June	22/85
(revoked by 541/86)				
Onions Grown from Sets.....	214			
amended.....		286/81	May	23/81
amended.....		221/82	Apr.	24/82
amended.....		751/82	Nov.	27/82
amended.....		264/83	May	21/83
amended.....		361/84	June	23/84
(revoked by 541/86)				
Peaches.....	215			
amended.....		770/81	Dec.	5/81
amended.....		794/82	Dec.	18/82
amended.....		38/83	Feb.	5/83
amended.....		794/83	Jan.	7/84
amended.....		676/86	Dec.	13/86
Peanuts.....		606/88	Oct.	15/88
Pears.....	216			
amended.....		771/81	Dec.	5/81
amended.....		753/82	Nov.	27/82
amended.....		39/83	Feb.	5/83
amended.....		795/83	Jan.	7/84

	R.R.O. 1980	O.Reg.	Date of Gazette	
amended.....		8/85	Jan.	26/85
amended.....		648/85	Dec.	28/85
amended.....		69/88	Feb.	20/88
Peas.....	217			
amended.....		289/81	May	23/81
amended.....		307/82	May	22/82
amended.....		273/83	May	21/83
amended.....		357/84	June	23/84
amended.....		299/85	June	22/85
amended.....		208/86	May	3/86
amended.....		321/87	June	27/87
amended.....		320/88	June	4/88
Peppers.....	218			
amended.....		404/81	July	4/81
amended.....		95/82	Mar.	6/82
amended.....		270/83	May	21/83
amended.....		459/84	Aug.	4/84
amended.....		303/85	June	22/85
amended.....		85/86	Mar.	8/86
amended.....		227/88	Apr.	30/88
Plums.....	219			
amended.....		772/81	Dec.	5/81
amended.....		754/82	Nov.	27/82
amended.....		40/83	Feb.	5/83
amended.....		797/83	Jan.	7/84
amended.....		9/85	Jan.	26/85
amended.....		649/85	Dec.	28/85
Popping Corn.....		312/81	May	30/81
amended.....		96/82	Mar.	6/82
amended.....		218/82	Apr.	24/82
amended.....		269/83	May	21/83
amended.....		291/85	June	22/85
amended.....		225/88	Apr.	30/88
Potatoes.....		314/81	May	30/81
amended.....		97/82	Mar.	6/82
amended.....		49/83	Feb.	5/83
amended.....		142/84	Mar.	17/84
amended.....		159/86	Apr.	12/86
amended.....		328/87	June	27/87
amended.....		516/88	Sept.	3/88
Pumpkins and Squash.....		287/85	June	22/85
amended.....		209/86	May	3/86
amended.....		313/87	June	27/87
amended.....		325/88	June	4/88
Red Beets.....		434/88	July	23/88
Red Spring Wheat.....		607/88	Oct.	15/88
Rutabagas.....		315/81	May	30/81
amended.....		98/82	Mar.	6/82
amended.....		223/82	Apr.	24/82
amended.....		268/83	May	21/83

	R.R.O. 1980	O.Reg.	Date of Gazette	
amended.....		510/84	Aug.	25/84
amended.....		296/85	June	22/85
amended.....		327/87	June	27/87
amended.....		323/88	June	4/88
Seed Corn.....	220			
amended.....		509/86	Sept.	13/86
amended.....		316/87	June	27/87
amended.....		321/88	June	4/88
Sour Cherries.....	221			
amended.....		773/81	Dec.	5/81
amended.....		755/82	Nov.	27/82
amended.....		42/83	Feb.	5/83
amended.....		798/83	Jan.	7/84
amended.....		646/85	Dec.	28/85
amended.....		31/88	Feb.	6/88
Soybeans.....	222			
amended.....		309/81	May	30/81
amended.....		90/82	Mar.	6/82
amended.....		46/83	Feb.	5/83
amended.....		144/84	Mar.	17/84
(revoked by 297/84)				
Spanish Onions.....		316/81	May	30/81
amended.....		222/82	Apr.	24/82
amended.....		752/82	Nov.	27/82
amended.....		267/83	May	21/83
amended.....		360/84	June	23/84
(revoked by 541/86)				
Specialty Crops.....		313/81	May	30/81
amended.....		219/82	Apr.	24/82
amended.....		266/83	May	21/83
amended.....		465/84	Aug.	4/84
amended.....		286/85	June	22/85
amended.....		204/86	May	3/86
amended.....		329/87	June	27/87
amended.....		278/88	May	21/88
Spring Grain.....	223			
amended.....		306/81	May	23/81
amended.....		91/82	Mar.	6/82
amended.....		47/83	Feb.	5/83
amended.....		140/84	Mar.	17/84
amended.....		302/85	June	22/85
amended.....		325/87	June	27/87
amended.....		277/88	May	21/88
Sunflowers.....		478/87	Aug.	29/87
amended.....		327/88	June	4/88
Sweet Cherries.....	224			
amended.....		774/81	Dec.	5/81
amended.....		795/82	Dec.	18/82
amended.....		41/83	Feb.	5/83
amended.....		799/83	Jan.	7/84
amended.....		10/85	Jan.	26/85

	R.R.O. 1980	O.Reg.	Date of Gazette	
Sweet Corn.....	225			
amended.....		290/81	May	23/81
amended.....		308/82	May	22/82
amended.....		272/83	May	21/83
amended.....		362/84	June	23/84
amended.....		207/86	May	3/86
amended.....		315/87	June	27/87
Tomatoes.....	226			
amended.....		291/81	May	23/81
amended.....		309/82	May	22/82
amended.....		309/83	June	4/83
amended.....		356/84	June	23/84
amended.....		292/85	June	22/85
amended.....		683/86	Dec.	13/86
amended.....		314/87	June	27/87
amended.....		322/88	June	4/88
Vine Crops.....	227			
(revoked by 313/81)				
White Beans.....	228			
amended.....		305/81	May	23/81
amended.....		93/82	Mar.	6/82
amended.....		216/82	Apr.	24/82
amended.....		48/83	Feb.	5/83
amended.....		139/84	March	17/84
amended.....		301/85	June	22/85
amended.....		324/87	June	27/87
amended.....		189/88	Apr.	23/88
Winter Wheat.....	229			
amended.....		99/82	Mar.	6/82
amended.....		571/83	Sept.	24/83
amended.....		635/84	Oct.	27/84
amended.....		619/85	Dec.	14/85
amended.....		695/86	Dec.	13/86
amended.....		681/87	Dec.	26/87
Designation of Insurable Crops.....	230			
amended.....		288/81	May	23/81
amended.....		306/82	May	22/82
amended.....		305/83	June	4/83
amended.....		298/84	May	26/84
amended.....		354/84	June	23/84
amended.....		297/85	June	22/85
amended.....		296/87	June	20/87
amended.....		433/88	July	23/88
General.....	231			
amended.....		43/83	Feb.	5/83
amended.....		143/84	Mar.	17/84
amended.....		363/84	June	23/84
amended.....		290/85	June	22/85
amended.....		330/87	June	27/87
amended.....		228/88	Apr.	30/88

R.R.O. 1980	O.Reg.	Date of Gazette
----------------	--------	--------------------

CROWN EMPLOYEES COLLECTIVE BARGAINING ACT

General.....	232		
amended.....		252/85	June 8/85
amended.....		41/87	Feb. 14/87

Rules of Procedure.....	233		
-------------------------	-----	--	--

CROWN TIMBER ACT

General.....	234		
amended.....		175/81	Apr. 11/81
amended.....		621/81	Oct. 10/81
amended.....		853/82	Jan. 15/83
amended.....		854/82	Jan. 15/83
amended.....		248/83	May 14/83
amended.....		151/84	Mar. 24/84
amended.....		166/84	Mar. 31/84
amended.....		393/84	July 7/84
amended.....		476/84	Aug. 18/84
amended.....		64/85	Feb. 23/85
amended.....		203/85	May 25/85
amended.....		117/86	Mar. 29/86
amended.....		373/86	July 12/86
amended.....		131/87	Mar. 28/87
amended.....		463/88	Aug. 6/88

D**DANGEROUS GOODS TRANSPORTATION ACT, 1981**

General.....		363/85	July 13/85
--------------	--	--------	------------

DAY NURSERIES ACT

General.....	235		
amended.....		818/81	Dec. 26/81
amended.....		166/82	Apr. 3/82
amended.....		298/83	June 4/83
amended.....		401/83	July 16/83
(revoked by 760/83)			

General.....		760/83	Dec. 17/83
amended.....		500/84	Aug. 18/84
amended.....		533/84	Sept. 1/84
amended.....		592/84	Sept. 29/84
amended.....		499/85	Oct. 26/85
amended.....		119/86	Mar. 29/86
amended.....		144/87	Apr. 4/87
amended.....		467/87	Aug. 22/87
amended.....		621/87	Dec. 5/87
amended.....		24/88	Feb. 6/88
amended.....		143/88	Mar. 26/88

	R.R.O. 1980	O.Reg.	Date of Gazette
DEAD ANIMAL DISPOSAL ACT			
General.....	236		
DENTAL TECHNICIANS ACT			
General.....	237		
amended.....		710/82	Nov. 13/82
amended.....		75/86	Mar. 8/86
amended.....		48/87	Feb. 14/87
amended.....		12/88	Jan. 30/88
DENTURE THERAPISTS ACT			
General.....	238		
amended.....		667/81	Oct. 24/81
amended.....		562/82	Aug. 28/82
amended.....		46/84	Feb. 11/84
amended.....		291/84	May 19/84
amended.....		143/85	Apr. 20/85
amended.....		584/88	Oct. 8/88
DEPOSITS REGULATION ACT			
General.....	239		
DEVELOPMENT CORPORATIONS ACT			
Approval of Loans and Guarantees..... (revoked by 738/88)	240		
Approval of Loans and Guarantees.....		738/88	Dec. 31/88
Innovation Ontario Corporation.....		550/86	Oct. 4/86
Ontario Film Development Corporation (The).... amended.....		37/86 678/87	Feb. 15/86 Dec. 26/87
Ontario International Corporation.....	241		
amended.....		325/83	June 11/83
amended.....		755/83	Dec. 17/83
amended.....		113/84	Mar. 10/84
DEVELOPMENTAL SERVICES ACT			
General.....	242		
amended.....		608/81	Sept. 26/81
amended.....		80/84	Feb. 25/84
amended.....		334/84	June 16/84
amended.....		50/85	Feb. 16/85
amended.....		52/85	Feb. 16/85
amended.....		502/85	Oct. 26/85
DISTRICT OF PARRY SOUND LOCAL GOVERNMENT ACT, 1979			
Authority to Acquire Land - Township of The Archipelago.....		750/81	Nov. 28/81

	R.R.O. 1980	O.Reg.	Date of Gazette
Order of the Minister..... (this Reg. amends O.Reg. 199/80 see Schedule to R.R.O. 1980)		66/81	Feb. 28/81
DISTRICT WELFARE ADMINISTRATION BOARDS ACT			
Application for Grant Under Section 10 of the Act..... amended.....	243	609/83	Oct. 15/83
DOG LICENSING AND LIVE STOCK AND POULTRY PROTECTION ACT			
Application for Payment of a Grant.....	244		
Dogs at Large in Unorganized Areas.....	245		
DRAINAGE ACT			
Forms..... amended.....	246	300/81	May 23/81
Rules of Practice and Procedure to be followed in all Proceedings before the Referee.....	247		
DRUGLESS PRACTITIONERS ACT			
Chiropractors..... amended..... amended..... amended..... amended..... amended..... amended..... amended..... amended..... amended..... amended.....	248	860/81 521/82 762/82 20/84 515/84 223/85 256/85 557/85 104/87 35/88	Jan. 9/82 Aug. 14/82 Dec. 4/82 Jan. 28/84 Aug. 25/84 June 1/85 June 8/85 Nov. 16/85 Mar. 14/87 Feb. 6/88
Classifications..... amended.....	249	738/83	Dec. 17/83
General..... amended..... amended..... amended..... amended..... amended.....	250	242/81 19/84 22/85 696/85 13/88	May 9/81 Jan. 28/84 Feb. 9/85 Jan. 11/86 Jan. 30/88
Massageurs..... amended..... amended..... amended..... amended..... amended.....	251	859/81 277/82 711/82 224/85 580/85 618/87	Jan. 9/82 May 8/82 Nov. 13/82 June 1/85 Nov. 23/85 Dec. 5/87
Osteopaths..... amended.....	252	239/83	May 14/83

	R.R.O. 1980	O.Reg.	Date of Gazette
--	----------------	--------	--------------------

Physiotherapists.....	253		
amended.....		513/81	Aug. 15/81
amended.....		638/83	Oct. 15/83
amended.....		126/84	Mar. 17/84
amended.....		614/84	Oct. 13/84
amended.....		23/85	Feb. 9/85
amended.....		640/85	Dec. 28/85
amended.....		502/86	Sept. 13/86
amended.....		636/86	Nov. 15/86
amended.....		619/87	Dec. 5/87
amended.....		654/88	Nov. 12/88

E

EDIBLE OIL PRODUCTS ACT

General.....	254		
amended.....		296/84	May 26/84

EDUCATION ACT

Apportionment 1980 Requisitions..... (this Reg. amends O.Reg. 230/80 - see Schedule to R.R.O. 1980)		344/81	June 6/81
Apportionment 1981 Requisitions.....		129/81	Mar. 28/81
amended.....		414/81	July 4/81
Apportionment 1982 Requisitions.....		199/82	Apr. 17/82
Apportionment 1983 Requisitions.....		223/83	Apr. 30/83
Apportionment 1984 Requisitions.....		43/84	Feb. 11/84
Apportionment 1985 Requisitions.....		129/85	Apr. 13/85
Apportionment 1986 Requisitions.....		114/86	Mar. 22/86
amended.....		597/86	Oct. 18/86
Apportionment 1987 Requisitions.....		99/87	Mar. 14/87
amended.....		216/88	Apr. 30/88
Apportionment 1988 Requisitions.....		162/88	Apr. 9/88
Calculation of Amount of Reserve or Reduction in Requirement Resulting from Strike or Lock-out.....	255		
Calculation of Average Daily Enrolment.....	256		
Calculation of Average Daily Enrolment.....		127/85	Apr. 13/85
amended.....		113/86	Mar. 22/86
Calculation of Fees for Pupils, 1981.....		128/81	Mar. 28/81

	R.R.O. 1980	O.Reg.	Date of Gazette	
Calculation of Fees for Pupils, 1982.....		198/82	Apr.	17/82
Calculation of Fees for Pupils, 1983.....		222/83	Apr.	30/83
amended.....		279/84	May	19/84
Calculation of Fees for Pupils.....		42/84	Feb.	11/84
amended.....		131/85	Apr.	13/85
Calculation of Fees for Pupils.....		130/85	Apr.	13/85
amended.....		467/85	Oct.	5/85
Calculation of Fees for Pupils.....		115/86	Mar.	22/86
amended.....		595/86	Oct.	18/86
Calculation of Fees for Pupils, 1987.....		100/87	Mar.	14/87
amended.....		217/88	Apr.	30/88
Calculation of Fees for Pupils, 1988.....		163/88	Apr.	9/88
Conditions for Extended Funding.....		102/87	Mar.	14/87
County Combined Separate School Zones.....	257			
amended.....		418/81	July	4/81
amended.....		454/86	Aug.	16/86
Designation of School Divisions in Territorial Districts.....	258			
amended.....		706/83	Nov.	19/83
amended.....		563/84	Sept.	15/84
amended.....		735/84	Dec.	1/84
amended.....		174/86	Apr.	12/86
amended.....		623/87	Dec.	5/87
amended.....		231/88	Apr.	30/88
Designation of Teachers.....		71/87	Feb.	28/87
District Combined Separate School Zones.....	259			
amended.....		556/81	Sept.	5/81
amended.....		858/81	Jan.	9/82
amended.....		879/81	Jan.	16/82
amended.....		419/82	July	3/82
amended.....		568/82	Sept.	4/82
amended.....		74/83	Feb.	12/83
amended.....		637/83	Oct.	15/83
amended.....		124/84	March	10/84
amended.....		316/84	June	2/84
amended.....		671/84	Nov.	10/84
amended.....		242/85	June	1/85
amended.....		60/87	Feb.	21/87
amended.....		232/88	Apr.	30/88
amended.....		621/88	Oct.	22/88
District School Areas.....	260			
amended.....		636/83	Oct.	15/83
amended.....		690/85	Jan.	4/86
amended.....		690/85	Jan.	4/86
Early School Leaving.....	261			
(revoked by 532/83)				

	R.R.O. 1980	O.Reg.	Date of Gazette
Elementary and Secondary Schools and Schools for Trainable Retarded Pupils - General now Operation of Schools - General (See 233/88)			
Fees for Ministry Courses.....	263		
amended.....		713/81	Nov. 7/81
amended.....		573/84	Sept. 29/84
amended.....		689/85	Jan. 4/86
Fees for Transcripts and Statements of Standing and for Duplicates of Diplomas, Certificates and Letters of Standing.....	264		
General Legislative Grants, 1979..... (this Reg. amends O.Reg. 108/79 - see Schedule to R.R.O. 1980)		342/81	June 6/81
General Legislative Grants, 1980..... (this Reg. amends O.Reg. 228/80 - see Schedule to R.R.O. 1980)		343/81	June 6/81
General Legislative Grants, 1980..... (this Reg. amends O.Reg. 228/80 - see Schedule to R.R.O. 1980)		55/83	Feb. 5/83
General Legislative Grants, 1981.....		127/81	Mar. 27/81
amended.....		56/83	Feb. 5/83
amended.....		415/83	July 16/83
General Legislative Grants, 1982.....		197/82	Apr. 17/82
amended.....		416/83	July 16/83
General Legislative Grants, 1983.....		221/83	Apr. 30/83
amended.....		280/84	May 19/84
General Legislative Grants, 1984.....		44/84	Feb. 11/84
amended.....		241/85	June 1/85
amended.....		355/85	July 13/85
amended.....		636/85	Dec. 21/85
amended.....		512/86	Sept. 13/86
amended.....		701/87	Jan. 2/88
General Legislative Grants, 1985.....		128/85	Apr. 13/85
amended.....		466/85	Oct. 5/85
amended.....		112/86	Mar. 22/86
amended.....		511/86	Sept. 13/86
amended.....		513/86	Sept. 13/86
amended.....		702/87	Jan. 2/88
General Legislative Grants, 1986.....		116/86	Mar. 22/86
amended.....		596/86	Oct. 18/86
amended.....		704/87	Jan. 2/88
General Legislative Grants, 1987.....		98/87	Mar. 14/87
amended.....		215/88	Apr. 30/88

	R.R.O. 1980	O.Reg.	Date of Gazette
General Legislative Grants, 1988.....		160/88	Apr. 9/88
James Bay Lowlands Secondary School Board.....	265		
amended.....		739/82	Nov. 20/82
Legislative Grants.....	266		
Northern District School Area Board.....		738/82	Nov. 20/82
North of Superior District Roman Catholic Separate School Board.....	267		
amended.....		418/82	July 3/82
amended.....		277/85	June 15/85
amended.....		669/86	Dec. 6/86
amended.....		384/88	July 2/88
Ontario Schools for the Blind and the Deaf.....	268		
Ontario Teacher's Qualifications.....	269		
amended.....		415/81	July 4/81
amended.....		417/81	July 4/81
amended.....		567/82	Sept. 4/82
amended.....		288/83	May 28/83
amended.....		27/84	Feb. 4/84
amended.....		231/84	Apr. 28/84
amended.....		451/84	July 28/84
amended.....		474/84	Aug. 18/84
amended.....		194/85	May 11/85
amended.....		111/86	Mar. 22/86
amended.....		175/86	Apr. 12/86
amended.....		222/86	May 10/86
amended.....		157/87	Apr. 11/87
amended.....		703/87	Jan. 2/88
amended.....		415/88	July 16/88
Operation of Schools - General.....	262		
amended.....		416/81	July 4/81
amended.....		555/81	Sept. 5/81
amended.....		617/81	Oct. 3/81
amended.....		785/81	Dec. 5/81
amended.....		761/82	Dec. 4/82
amended.....		465/85	Oct. 5/85
amended.....		195/87	Apr. 25/87
amended.....		233/88	Apr. 30/88
Payment Transfer Between Coterminous Boards - 1987.....		101/87	Mar. 14/87
Payment Transfer Between Coterminous Boards - 1988.....		161/88	Apr. 9/88
Practice and Procedure - Boards of Reference.....	270		
Qualifications.....	271		
amended.....		380/86	July 12/86

	R.R.O. 1980	O.Reg.	Date of Gazette
Purchase of Milk.....	272		
Regional Tribunals.....		71/84	Feb. 18/84
School Year and School Holidays..... (revoked by 822/82)	273		
School Year and School Holidays.....		822/82	Jan. 1/83
Special Education Identification Placement and Review Committees and Appeals.....		554/81	Sept. 5/81
Special Education Programs and Services.....	274		
amended.....		553/81	Sept. 5/81
amended.....		62/82	Feb. 20/82
amended.....		77/86	Mar. 8/86
Special Grant.....	275		
Supervised Alternative Learning for Excused Pupils.....		532/83	Sept. 3/83
Supervisory Officers.....	276		
amended.....		495/83	Aug. 20/83
amended.....		473/84	Aug. 18/84
amended.....		668/86	Dec. 6/86
Teachers' Contracts.....	277		
Territory Without Municipal Organization Attached to a District Municipality.....		691/85	Jan. 4/86
Training Assistance.....		705/87	Jan. 2/88
Trustee Distribution.....		384/88	July 2/88
EDUCATION STATUTE LAW AMENDMENT ACT, 1988			
Order Under Subsection 41(4).....		506/88	Aug. 27/88
ELDERLY PERSONS CENTRES ACT			
General.....	278		
amended.....		47/81	Feb. 21/81
amended.....		819/81	Dec. 26/81
amended.....		500/85	Oct. 26/85
amended.....		711/87	Jan. 2/88
ELECTION ACT			
Fees and Expenses..... (revoked by 722/83)	279		
Fees and Expenses..... (revoked by 120/87)		722/83	Dec. 3/83
ELECTION ACT, 1984			
Fees and Expenses.....		120/87	Mar. 21/87

	R.R.O. 1980	O.Reg.	Date of Gazette
ELEVATING DEVICES ACT			
General.....		229/81	Apr. 25/81
amended.....		803/82	Dec. 25/82
amended.....		463/86	Aug. 16/86
EMPLOYEE SHARE OWNERSHIP PLAN ACT, 1988			
Forms.....		362/88	June 25/88
General.....		242/88	May 7/88
EMPLOYMENT AGENCIES ACT			
General.....	280		
amended.....		225/81	Apr. 25/81
EMPLOYMENT STANDARDS ACT			
Ambulance Service Industry.....	281		
amended.....		94/81	Mar. 14/81
amended.....		803/83	Jan. 7/84
revoked.....		568/86	Oct. 11/86
Amending Certain Regulations.....		568/86	Oct. 11/86
Benefit Plans.....	282		
amended.....		443/88	July 30/88
Domestics and Nannies	283		
amended.....		75/84	Feb. 25/84
amended.....		39/85	Feb. 9/85
amended.....		568/86	Oct. 11/86
(revoked by 308/87)			
Domestics, Nannies and Sitters.....		308/87	June 27/87
amended.....		533/87	Oct. 3/87
Forms.....		444/87	Aug. 15/87
Fruit, Vegetable and Tobacco Harvesters.....	284		
amended.....		241/81	May 9/81
amended.....		342/84	June 16/84
amended.....		307/85	June 22/85
amended.....		568/86	Oct. 11/86
amended.....		300/87	June 20/87
amended.....		444/88	July 30/88
General.....	285		
amended.....		93/81	Mar. 14/81
amended.....		299/82	May 22/82
amended.....		802/83	Jan. 7/84
amended.....		189/84	Apr. 14/84
amended.....		2/86	Jan. 25/86
amended.....		568/86	Oct. 11/86
amended.....		301/87	June 20/87
amended.....		309/87	June 27/87
amended.....		534/87	Oct. 3/87
amended.....		445/88	July 30/88

	R.R.O. 1980	O.Reg.	Date of Gazette	
Residential Care Workers.....		440/82	July	10/82
Termination of Employment.....	286			
amended.....		495/82	Aug.	7/82
amended.....		531/83	Sept.	3/83
amended.....		301/84	May	26/84
amended.....		120/85	Mar.	23/85
ENDANGERED SPECIES ACT				
Endangered Species.....	287			
amended.....		153/81	Apr.	4/81
amended.....		322/84	June	9/84
amended.....		252/87	May	30/87
amended.....		195/88	Apr.	23/88
ENERGY ACT				
Fuel Oil Code.....	288			
Gas Pipeline Systems.....	289			
(revoked by 450/84)				
Gas Pipeline Systems.....		450/84	July	28/84
amended.....		627/87	Dec.	5/87
Gas Utilization Code.....	290			
(revoked by 826/82)				
Gas Utilization Code.....		826/82	Jan.	1/83
Oil Pipeline Systems.....		626/87	Dec.	5/87
Oil Pipeline Transportation Systems.....	291			
amended.....		104/81	Mar.	14/81
amended.....		754/84	Dec.	15/84
(revoked by 626/87)				
Propane Storage, Handling and Utilization Code.....	292			
amended.....		135/81	Mar.	28/81
(revoked by 825/82)				
Propane Storage, Handling and Utilization Code.....		825/82	Jan.	1/83
amended.....		295/83	June	4/83
amended.....		522/84	Sept.	1/84
amended.....		838/84	Jan.	19/85
amended.....		619/88	Oct.	22/88
ENVIRONMENTAL ASSESSMENT ACT				
Designation - Fighting Island Rehabilitation.....		807/82	Dec.	25/82
Designation - KAM 1 Hydro-Electric Project.....		335/88	June	11/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Designation - Petro-Sun International Inc. and SNC Inc.....		204/87	May 2/87
Designation - TSI Trintek Systems Inc.....		710/87	Jan. 2/88
Exemption -			
Adelaide, The Corporation of the Township of -ADEL-TP-1.....		776/82	Dec. 11/82
Black River-Matheson, The Township of -BLAC-TWP-1.....		553/86	Oct. 4/86
Brockville, The Corporation of the City of - BROC-C-2.....		779/82	Dec. 11/82
Chapleau, Corporation of the Township of - CHAP-TP-1.....		418/83	July 16/83
Credit Valley Conservation Authority - CDV-01.....		484/83	Aug. 20/83
- CDV-02.....		324/84	June 9/84
Cobourg, Corporation of the Town of - COBG-T-1.....		239/88	May 7/88
Drayton, The Corporation of the Village of - DRAY-V-1.....		810/83	Jan. 14/84
Dubreuilville, Corporation of the Improvement District of - DUBR-1D-I.....		3/83	Jan. 22/83
- DUBR-1D-2.....		653/83	Oct. 29/83
Dysart et al, The Corporation of the Township of - DYSA-TWP-1.....		494/86	Sept. 6/86
Essa, Corporation of the Township of - ESSA-TP-1.....		1/83	Jan. 22/83
Essex Region Conservation Authority - ESR-01.....		115/85	Mar. 23/85
Essex, The Corporation of the County of - ESSE-CT-1.....		70/87	Feb. 28/87
Essex, The Corporation of the County of - ESSE-CT-2.....		119/88	Mar. 19/88
Fort Erie, Corporation of the Town of - FORT E-T-1.....		192/86	Apr. 26/86
Frontenac and Lennox and Addington (Counties of).....		433/86	Aug. 16/86

	R.R.O. 1980	O.Reg.	Date of Gazette
Ganaraska Region Conservation Authority and the Corporation of the Town of Port Hope - PHOP-2.....		483/83	Aug. 20/83
Gloucester Hydro - GLOU-C-1.....		371/84	June 30/84
Gloucester Hydro-Electric Commission - GLOU-T-2.....		567/87	Oct. 24/87
Grimsby, Corporation of the Town of - GRIM-T-1.....		258/86	May 24/86
Haldimand-Norfolk, The Regional Municipality of - RMHN - 1.....		432/86	Aug. 16/86
Halton, The Regional Municipality of - HALT-RG-01.....		240/84	May 5/84
Hamilton, Corporation of the City of - HAMI-C-1.....		257/83	May 21/83
Hamilton Region Conservation Authority - HMR-01.....		468/82	July 24/82
Hearst, Town of - HEAR-T-1.....		576/86	Oct. 11/86
Highway No. 404.....		352/81	June 13/81
Huron, Township of - HUP-1.....		407/81	July 4/81
Ingersoll, Town of, Township of South- West Oxford - ING-1.....		762/86	Jan. 17/87
Johnson, Township of - JOHN-TWP-1.....		386/86	July 12/86
Kanata Hydro-Electric Commission - KANA-C-1.....		492/86	Sept. 6/86
Kapuskasing, The Corporation of the Town of - MUN-TWN-KAP-1.....		367/83	July 9/83
Kingston, Township of -MUN-1.....		123/81	Mar. 21/81
Kirkland Lake, The Corporation of the Town of, Community of Swastika -KIRK-T-1.....		601/84	Oct. 6/84
Kitchener-Wilmot Hydro.....		498/88	Aug. 20/88
Markham Hydro - MARK-T-1.....		641/84	Oct. 27/84
- Electric Commission - MARK-T-2.....		372/86	July 12/86

	R.R.O. 1980	O.Reg.	Date of Gazette
Michipicoten, The Township of			
- MICH-TP-1.....		372/84	June 30/84
North Bay, Corporation of the City of			
- NORT-C-1.....		222/87	May 9/87
St. Catharines Hydro-Electric Commission - STCA-C-1.....		431/86	Aug. 16/86
Ministry of Citizenship and Culture			
- MCC-1.....		279/82	May 15/82
Ministry of Energy - Energy-1.....		655/81	Oct. 17/81
Ministry of the Environment			
- MOE-21.....		659/81	Oct. 17/81
- MOE-22.....		762/81	Nov. 28/81
- MOE-24.....		832/81	Jan. 2/82
- MOE-23.....		880/81	Jan. 16/82
- MOE-24/2.....		646/82	Oct. 16/82
- MOE-25.....		237/83	May 7/83
- MOE-26.....		664/83	Oct. 29/83
- MOE-27.....		179/84	Apr. 14/84
- MOE-28.....		358/85	July 13/85
- MOE-29.....		386/85	Aug. 10/85
- MOE-30.....		632/85	Dec. 21/85
- MOE-32.....		334/86	June 28/86
- MOE-31.....		370/86	July 12/86
- MOE-33.....		411/87	July 25/87
- MOE-33/1.....		576/87	Oct. 31/87
- MOE-32/1.....		410/88	July 16/88
- MOE-34.....		497/88	Aug. 20/88
- MOE-35.....		547/88	Sept. 17/88
- MOE-36.....		715/88	Dec. 17/88
- MOE-37.....		722/88	Dec. 24/88
Ministry of Government Services			
- MGS-43.....		23/81	Feb. 14/81
- MGS-44.....		318/81	May 30/81

	R.R.O. 1980	O.Reg.	Date of Gazette
- MGS-45.....		430/81	July 11/81
- MGS-46.....		658/81	Oct. 17/81
- MGS-47.....		761/81	Nov. 25/81
- MGS-49.....		170/82	Apr. 3/82
- MGS-48.....		263/82	May 8/82
- MGS-50.....		780/82	Dec. 11/82
- MGS-51.....		781/82	Dec. 11/82
- MGS-52.....		12/83	Jan. 28/83
- MGS-53.....		366/83	July 9/83
- MGS-54.....		35/84	Feb. 11/84
- MGS-55.....		34/84	Feb. 11/84
- MGS-56.....		273/84	May 19/84
- MGS-57.....		439/84	July 28/84
- MGS-58.....		440/84	July 28/84
- MGS-59.....		441/84	July 28/84
- MGS-62.....		112/85	Mar. 23/85
- MGS-61.....		113/85	Mar. 23/85
- MGS-66.....		448/85	Sept. 21/85
- MGS-65.....		471/85	Oct. 5/85
- MGS-67.....		125/86	Mar. 29/86
- MGS-64.....		257/86	May 24/86
- MGS-68.....		371/86	July 12/86
- MGS-63.....		385/86	July 12/86
- MGS-71.....		493/86	Sept. 6/86
- MGS-70.....		495/86	Sept. 6/86
- MGS-72.....		624/86	Nov. 15/86
- MGS-73.....		659/86	Nov. 22/86
- MGS-76.....		552/87	Oct. 17/87
- MGS-78.....		608/87	Nov. 28/87
- MGS-75.....		614/87	Dec. 5/87

	R.R.O. 1980	O.Reg.	Date of Gazette
- MGS-79.....		73/88	Feb. 20/88
- MGS-82.....		209/88	Apr. 23/88
- MGS-83.....		337/88	June 11/88
- MGS-84.....		411/88	July 16/88
- MGS-86.....		499/88	Aug. 20/88
- MGS-90.....		563/88	Oct. 1/88
- MGS-88.....		564/88	Oct. 1/88
- MGS-91.....		645/88	Nov. 12/88
- MGS-89.....		683/88	Nov. 26/88
- MGS-81.....		711/88	Dec. 17/88
Ministry of Natural Resources			
- MNR-33.....		164/81	Apr. 4/81
- MNR-11/3.....		284/81	May 23/81
- MNR-17/2.....		347/81	June 6/81
- MNR-35.....		373/81	June 20/81
- MNR-19/3.....		431/81	July 11/81
- MNR-34.....		433/81	July 11/81
- MNR-32/2.....		653/81	Oct. 17/81
- MNR-36.....		710/81	Nov. 7/81
- MNR-31/2.....		882/81	Jan. 16/82
- MNR-19/4.....		883/81	Jan. 16/82
- MNR-37.....		194/82	Apr. 17/82
- MNR-11/4.....		261/82	May 8/82
- MNR-30/2.....		264/82	May 8/82
- MNR-22..... (revoked by 320/83)		467/82	July 24/82
- MNR-38.....		614/82	Oct. 2/82
- MNR-40.....		681/82	Oct. 30/82
- MNR-35/2.....		10/83	Jan. 22/83
- MNR-37/2.....		11/83	Jan. 22/83
- MNR-41.....		12/83	Jan. 22/83

	R.R.O. 1980	O.Reg.	Date of Gazette
- MNR-11/5.....		13/83	Jan. 22/83
- MNR-39/2.....		320/83	June 11/83
- MNP-30/3.....		348/83	June 25/83
- MNR-43..... (revoked by 684/88)		364/83	July 9/83
- MNR-11/6.....		417/83	July 16/83
- MNR-28/2.....		654/83	Oct. 29/83
- MNR-26/2.....		655/83	Oct. 29/83
- MNR-29/2.....		656/83	Oct. 29/83
- MNR-30/4.....		723/83	Dec. 3/83
- MNR-11/7.....		2/84	Jan. 21/84
- MNR-26/3.....		221/84	Apr. 28/84
- MNR-46.....		226/84	Apr. 28/84
- MNR-47.....		338/84	June 16/84
- MNR-11/8.....		442/84	July 21/84
- MNR-26/4.....		444/84	July 28/84
- MNR-50..... (revoked by 243/88)		536/84	Sept. 1/84
- MNR-49.....		613/84	Oct. 13/84
- MNR-39/3.....		660/84	Nov. 3/84
- MNR-30/5.....		710/84	Nov. 17/84
- MNR-35/3.....		711/84	Nov. 17/84
- MNR-11/9.....		2/85	Jan. 26/85
- MNR-44..... (revoked by 684/88)		3/85	Jan. 26/85
- MNR-42.....		109/85	Mar. 23/85
- MNR-39/4.....		470/85	Oct. 5/85
- MNR-30/6.....		576/85	Nov. 23/85
- MNR-39/5.....		193/86	Apr. 26/86
- MNR-30/7.....		657/86	Nov. 22/86
- MNR-39/6.....		193/87	Apr. 18/87
- MNR-52.....		369/87	July 11/87

	R.R.O. 1980	O.Reg.	Date of Gazette
- MNR-30/8.....		607/87	Nov. 28/87
- MNR-50/2.....		243/88	May 7/88
- MNR-52/2.....		481/88	Aug. 13/88
- MNR-44/2.....		684/88	Nov. 26/88
- MNDM/MNR-1 (See Ministry of Northern Development and Mines)			
Ministry of Northern Development and Mines			
- MNDM-1.....		284/88	May 21/88
Ministry of Northern Development and Mines and Ministry of Natural Resources			
- MNDM/MNR-1.....		15/87	Feb. 7/87
Ministry of Transportation and Communications			
- MTC-37.....		115/81	Mar. 14/81
- MTC-38.....		191/81	Apr. 18/81
- MTC-39.....		257/81	May 16/81
- MTC-40.....		406/81	July 4/81
- MTC-42.....		465/81	July 25/81
- MTC-43.....		654/81	Oct. 17/81
- MTC-41.....		657/81	Oct. 17/81
- MTC-44.....		660/81	Oct. 17/81
- MTC-45.....		735/81	Nov. 21/81
- MTC-47.....		736/81	Nov. 21/81
- MTC-46.....		737/81	Nov. 21/81
- MTC-48.....		739/81	Nov. 21/81
- MTC-50.....		16/83	Jan. 22/83
- MTC-51.....		148/83	Apr. 2/83
- MTC-52.....		707/83	Nov. 19/83
- MTC-53.....		809/83	Jan. 14/84
- MTC-55.....		110/85	Mar. 23/85
- MTC-54.....		168/85	Apr. 20/85
- MTC-56.....		148/87	Apr. 11/87

	R.R.O. 1980	O.Reg.	Date of Gazette
Marathon, The Corporation of the Township of - MARN-TP-1.....		658/86	Nov. 22/86
Mississauga, The Corporation of the City of - MISS-C-1.....		32/84	Feb. 4/84
Municipalities of Ontario - MUNI-1/2.....		333/86	June 28/86
Municipality of Metropolitan Toronto - METR-M-3.....		613/87	Dec. 5/87
- METRO-M-2.....		578/87	Nov. 7/87
Municipality of Metropolitan Toronto and Toronto Transit Commission-TTC-2.....		554/86	Oct. 4/86
Nepean Hydro			
- NEPE-C-1.....		111/85	Mar. 23/85
- NEPE-C-2.....		577/85	Nov. 23/85
Niagara, The Regional Municipality of - NIAG-RG-1.....		496/86	Sept. 6/86
Ontario Energy Corporation - OEC-2/2.....		656/81	Oct. 17/81
- OEC-5.....		884/81	Jan. 16/82
Ontario Hydro			
- OH-23/2.....		875/81	Jan. 16/82
- OH-25.....		169/82	Apr. 3/82
- OH-26.....		539/82	Aug. 21/82
- OH-26/2.....		682/82	Oct. 30/82
- OH-27.....		2/83	Jan. 22/83
- OH-28.....		342/83	June 25/83
- OH-29.....		319/84	June 9/84
- OH-30.....		320/84	June 9/84
- OH-31.....		747/84	Dec. 8/84
- OH-32.....		359/85	July 13/85
- OH-13/2.....		578/85	Nov. 23/85
- OH-30/2.....		664/85	Jan. 4/86
- OH-29/2.....		665/85	Jan. 4/86
- OH-33.....		17/86	Feb. 1/86

	R.R.O. 1980	O.Reg.	Date of Gazette
- OH-24/2.....		14/87	Feb. 7/87
- OH-29/3.....		20/87	Feb. 7/87
- OH-30/3.....		21/87	Feb. 7/87
Ontario, Municipalities of			
- MUNI-1.....	300/84	May	26/84
- MUNI-2.....	114/85	Mar.	23/85
Ontario Northland Transportation Commission			
- MNA-4.....	285/81	May	23/81
- MNA-5.....	106/82	Mar.	13/82
- MNA-6.....	107/82	Mar.	13/82
- MNA-7.....	54/83	Feb.	5/83
Oshawa, The Corporation of the City of			
- OSH-1.....	163/81	Apr.	4/81
Ottawa-Carleton, The Regional Municipality of			
- RMOC-RG-1.....	194/87	Apr.	18/87
Owen Sound, Corporation of the City of			
- OWEN-C-1.....	680/82	Oct.	30/82
Owens, Williamson and Idington, Township of			
- OWEN-TP-1.....	365/83	July	9/83
Oxford, County of			
- OXFO-CT-1.....	410/82	July	3/82
- OXFO-CT-2.....	443/84	July	28/84
Port Hope, The Corporation of the Town of			
- PHOP-T-1.....	788/81	Dec.	5/81
Rutherford and George Island, Township of			
- RUTH-1.....	44/86	Feb.	15/86
St. Clair College of Applied Arts and Technology - MCU-2.....	19/81	Feb.	7/81
South Lake Simcoe Conservation Authority			
- CA-SLS-1.....	379/81	June	20/81
- SLS-02.....	341/83	June	25/83
- SLS-03.....	340/83	June	25/83
Sydenham, Corporation of the Township of			
- SYDE-TP-1.....	196/83	Apr.	16/83
- SYDE-TP-2.....	600/84	Oct.	6/84

	R.R.O. 1980	O.Reg.	Date of Gazette
Tiny, Corporation of the Township of - TINY-TP-1.....		599/84	Oct. 6/84
Toronto Area Transit Operating Authority - MTC-49.....		532/82	Aug. 21/82
Toronto Area Transit Operating Authority (GO TRANSIT) - GT-1.....		551/87	Oct. 17/87
Toronto, City of - TOR-2.....		256/81	May 16/81
- TOR-2/1.....		647/82	Oct. 16/82
- TOR-3.....		15/83	Jan. 22/83
Toronto, The Corporation of the City of - TOR-C-4.....		446/88	July 30/88
Toronto, (City of) and The City of Toronto Non-Profit Housing Corporation - TOR-1.....		126/81	Mar. 28/81
- TOR-3.....		434/81	July 11/81
Toronto, The Metropolitan Toronto Housing Company Limited - METR-M-1 - METR-M-1.....		50/82	Feb. 20/82
Toronto, The Metropolitan Toronto and Region Conservation Authority.....		225/84	Apr. 28/84
Toronto, The Metropolitan Toronto and Region Conservation Authority - MTRCA-2....		43/86	Feb. 15/86
Toronto, The Metropolitan Toronto and Region Conservation Authority - MTRCA-3....		97/86	Mar. 15/86
Toronto, Municipality of Metropolitan -MERO-1.....		881/81	Jan. 16/82
-MERO-1/2.....		215/83	Apr. 30/83
Toronto Transit Commission -TTC-01.....		321/84	June 9/84
Urban Transportation Development Corporation Ltd. Metro Canada Limited -UTDC-2.....		405/81	July 4/81
Vaughan Hydro-Electric Commission - VAUG-T-1.....		368/87	July 11/87
Victoria Hospital Corporation - VHC - 1....		74/88	Feb. 20/88
Waterloo, The Regional Municipality of and The Corporation of the City of Cambridge - WATE-RG-1.....		387/86	July 12/86

	R.R.O. 1980	O.Reg.	Date of Gazette
Windsor Utilities Commission - WIND-C-1....		325/86	June 21/86
York, The Corporation of The Regional Municipality of - YORK-RG-1.....		124/86	Mar. 29/86
General.....	293		
amended.....		383/81	June 20/81
amended.....		841/81	Jan. 2/82
amended.....		140/82	Mar. 27/82
amended.....		466/82	July 24/82
amended.....		775/82	Dec. 11/82
amended.....		414/83	July 16/83
amended.....		783/83	Dec. 31/83
amended.....		108/85	Mar. 23/85
amended.....		149/86	Apr. 5/86
amended.....		13/87	Feb. 7/87
(revoked by 205/87)			
General.....		205/87	May 2/87
amended.....		72/88	Feb. 20/88
Limited Exemption - Construction of a Hydro- Electric Generating Facility, Transmission Line and Ancillary Facilities on the Kaministiquia River - KAM 1.....		336/88	June 11/88
Malvern Waste.....		710/83	Nov. 19/83
Rules of Practice - Environmental Assessment Board.....		4/88	Jan. 23/88
South Cayuga Sewage Works and Waste Disposal Sites.....	294		
revoked.....		522/81	Aug. 22/81
ENVIRONMENTAL PROTECTION ACT			
Air Contaminants from Ferrous Foundries.....	295		
Algoma Sinter Operation - 1986/94.....		663/85	Jan. 4/86
Ambient Air Quality Criteria.....	296		
Asphalt Paving Plants.....	297		
(revoked by 469/87)			
Boilers.....		16/86	Feb. 1/86
Carbonated Soft Drink Cans Temporary Exemption.....		633/85	Dec. 21/85
(revoked by 633/85)			
Classes of Contaminants - Exemptions.....	298		
Containers.....	299		
(revoked by 622/85)			

	R.R.O. 1980	O.Reg.	Date of Gazette
Containers.....		623/85	Dec. 14/85
amended.....		150/86	Apr. 5/86
amended.....		236/87	May 16/87
Containers for Carbonated Soft Drinks..... (revoked by 622/85)	300		
Copper Cliff Smelter Complex..... (revoked by 660/85)	301		
Crown Waste Disposal Sites..... revoked	302	521/81	Aug. 22/81
Deep Well Disposal..... amended.....	303	596/88	Oct. 15/88
Designation of Waste..... amended.....	304	652/81	Oct. 17/81
Discharge of Sewage From Pleasure Boats.....	305		
Disposable Containers for Milk..... amended..... amended.....	306	172/83 532/85	Apr. 9/83 Nov. 9/85
Disposable Paper Containers for Milk.....	307		
Effluent Monitoring -			
General..... (revoked by 695/88)		358/88	June 25/88
General.....		695/88	Dec. 3/88
Petroleum Refining Sector..... amended.....		359/88 696/88	June 25/88 Dec. 3/88
Falconbridge Smelter Complex - 1994.....		661/85	Jan. 4/86
General - Air Pollution..... amended..... amended.....	308	107/85 389/88	Mar. 23/85 July 9/88
General - Waste Management..... amended..... amended..... amended..... amended..... amended..... amended..... amended.....	309	175/83 574/84 322/85 464/85 460/88 597/88 750/88	Apr. 16/83 Sept. 29/84 July 6/85 Sept. 28/85 July 30/88 Oct. 15/88 Jan. 7/89
Hauled Liquid Industrial Waste Disposal Sites..... amended.....		808/81 599/88	Dec. 19/81 Oct. 15/88
Hot Mix Asphalt Facilities.....		469/87	Aug. 22/87
Inco Sudbury Smelter Complex - 1994.....		660/85	Jan. 4/86

	R.R.O. 1980	O.Reg.	Date of Gazette
Lambton Industry Meteorological Alert.....		151/81	Apr. 4/81
Malvern Waste.....		711/83	Nov. 19/83
Marinas.....	310		
Mobile PCB Destruction Facilities.....		148/86	Apr. 5/86
amended.....		600/88	Oct. 15/88
Motor Vehicles.....	311		
Municipal Sewage and Water and Roads Class Environmental Assessment Projects.....		206/87	May 2/87
Ontario Hydro.....		73/81	Mar. 7/81
(revoked by 7/82)			
Ontario Hydro.....		7/82	Jan. 30/82
(revoked by 662/85)			
Ontario Hydro.....		662/85	Jan. 4/86
(revoked by 281/87)			
Ontario Hydro.....		281/87	June 13/87
Refillable Containers for Carbonated Soft Drink.....		622/85	Dec. 14/85
amended.....		237/87	May 16/87
Sewage Systems.....		429/81	July 11/81
(revoked by 374/81)			
Sewage Systems.....		374/81	June 20/81
amended.....		842/81	Jan. 2/82
amended.....		139/82	Mar. 27/82
amended.....		515/82	Aug. 14/82
amended.....		290/83	May 28/83
amended.....		130/84	Mar. 17/84
amended.....		71/85	Feb. 23/85
amended.....		546/85	Nov. 16/85
amended.....		598/88	Oct. 15/88
Sewage Systems - Exemptions.....		21/83	Jan. 29/83
Spills.....		618/85	Dec. 14/85
Sulphur Content of Fuels.....	312		
Transfers of Liquid Industrial Waste.....	313		
(revoked by 322/85)			
Waste Management - PCB's.....		11/82	Jan. 30/82
amended.....		575/84	Sept. 29/84

EXECUTIVE COUNCIL ACT

Assignment of Powers and Duties Minister of Citizenship and Culture.....	134/82	Mar. 20/82
--	--------	------------

	R.R.O. 1980	O.Reg.	Date of Gazette
Assignment of Powers and Duties Minister of Industry and Trade Development.....		135/82	Mar. 20/82
Assignment of Powers and Duties Minister of Tourism and Recreation.....		136/82	Mar. 20/82
Assignment of Powers and Duties Minister of Intergovernmental Affairs.....		400/82	June 26/82
Assignment of Powers and Duties Minister of Community and Social Services.....		660/83	Oct. 29/83
Assignment of Powers and Duties Minister of Health.....		671/83	Nov. 5/83
Assignment of Powers and Duties Minister of Municipal Affairs.....		375/85	Aug. 3/85
Assignment of Powers and Duties Minister of Industry, Trade and Technology.....		388/85	Aug. 17/85
Transfer of Administration of Act..... <u>Partnerships Act</u> transferred from Attorney General to Minister of Consumer and Commercial Relations		56/81	Feb. 21/81
Transfer of Administration of Act..... Administration of sections 161 and 162 of the <u>Mining Act</u> transferred to the Minister of Natural Resources		57/81	Feb. 21/81
Transfer of Administration of Act..... <u>Municipal Conflict of Interest Act</u> transferred from Attorney General to Ministry of Intergovernmental Affairs		150/81	Apr. 4/81
Transfer of Administration..... Administration and Control of the Council (Conseil des Affaires Franco-Ontariennes) transferred to the Minister of Intergovernmental Affairs		620/81	Oct. 10/81
Transfer of Administration of Act..... <u>Metropolitan Police Force Complaints</u> <u>Project Act, 1981</u> transferred from Solicitor General to Attorney General		133/82	Mar. 20/82
Transfer of Administration of Acts..... <u>Building Code Act</u> and part of Ontario <u>Water Resources Act</u> transferred from Minister of Consumer and Commercial Relations to Minister of Municipal Affairs and Housing		82/83	Feb. 19/83

	R.R.O. 1980	O.Reg.	Date of Gazette
Transfer of Administration of Act..... <u>Teachers' Superannuation Act, 1983</u> transferred to the Treasurer of Ontario and Minister of Economics (revoked by 202/87)		173/84	Apr. 7/84
Transfer of Administration of Act..... <u>Apprenticeship and Tradesmen's Qualification Act</u> transferred to Minister of Skills Development		170/85	Apr. 20/85
Transfer of Administration of Acts..... <u>Residential Tenancies Act and Residential Complexes Financing Costs Restraint Act, 1982</u> transferred to Minister of Municipal Affairs and Housing		264/85	June 8/85
Transfer of Administration of Acts..... to Minister of Housing		374/85	Aug. 3/85
Transfer of Administration of Acts..... <u>Mining Tax Act, Ontario Mineral Exploration Program Act and Mining Act</u> transferred to Minister of Northern Affairs and Mines (revoked by 631/85)		394/85	Aug. 17/85
Transfer of Administration of Acts..... <u>Ministry of Northern Affairs Act, Ontario Northland Transportation Commission Act, Local Services Boards Act and duties under subsection 2(5) of Road Access Act</u> transferred to Minister of Northern Affairs and Mines (revoked by 631/85)		396/85	Aug. 17/85
Transfer of Administration of Act..... <u>Niagara Escarpment Planning and Development Act</u> transferred to Minister of Municipal Affairs		422/85	Sept. 7/85
Transfer of Administration of Act..... <u>Mining Act, (part)</u>		505/85	Oct. 26/85
Transfer of Administration of Act..... <u>Public Service Superannuation Act</u>		616/85	Dec. 14/85
Transfer of Administration of Acts..... <u>Mining Act (part), Mining Tax Act, Ontario Mineral Exploration Program Act, Ministry of Northern Affairs Act, Ontario Northland Transportation Commission Act, Local Services Boards Act, Road Access Act (part)</u> (expired)		631/85	Dec. 21/85

	R.R.O. 1980	O.Reg.	Date of Gazette
Transfer of Administration of Acts..... Minister of Financial Institutions		417/86	Aug. 2/86
Transfer of Administration of Act..... <u>Mining Tax Act</u>		418/86	Aug. 2/86
Transfer of Administration of Acts..... Minister of Government Services		166/87	Apr. 11/87
Transfer of Administration of Acts..... Minister of Consumer and Commercial Relations		181/87	Apr. 18/87
Transfer of Administration of Acts..... Minister of Education		202/87	Apr. 25/87
Transfer of Administration of Acts..... Minister of Municipal Affairs		536/87	Oct. 10/87
Transfer of Administration of Acts..... Minister of Culture and Communications		563/87	Oct. 24/87
Transfer of Administration of Acts..... Minister of Culture and Communications		564/87	Oct. 24/87
Transfer of Administration of Act..... Minister of Citizenship		565/87	Oct. 24/87
Transfer of Administration of Acts..... Minister of Transportation		566/87	Oct. 24/87
Transfer of Administration of Acts..... Minister of Northern Development and Minister of Mines		571/87	Oct. 31/87
Transfer of Administration of Program..... Ministry of Skills Development		572/87	Oct. 31/87
Transfer of Administration of Act..... <u>Parks Assistance Act</u> transferred to Minister of Tourism and Recreation		579/88	Oct. 1/88

EXPROPRIATIONS ACT

Co-operative Development - North Pickering....	314
Forms.....	315
Rules of Practice and Procedure of the Land Compensation Board..... (revoked by 537/87)	316
Rules to be applied for the Purposes of Subsection 34(1) of the Act.....	317

	R.R.O. 1980	O.Reg.	Date of Gazette
EXTRA-PROVINCIAL CORPORATIONS ACT, 1984			
General.....		43/85	Feb. 9/85
amended.....		683/85	Jan. 4/86
amended.....		163/87	Apr. 11/87
amended.....		456/88	July 30/88

F

FAMILY BENEFITS ACT

General.....	318		
amended.....		51/81	Feb. 21/81
amended.....		273/81	May 16/81
amended.....		483/81	Aug. 1/81
amended.....		634/81	Oct. 17/81
amended.....		700/81	Nov. 7/81
amended.....		721/81	Nov. 14/81
amended.....		71/82	Feb. 20/82
amended.....		121/82	Mar. 20/82
amended.....		314/82	May 22/82
amended.....		404/82	June 26/82
amended.....		424/82	July 3/82
amended.....		459/82	July 17/82
amended.....		551/82	Aug. 21/82
amended.....		654/82	Oct. 16/82
amended.....		721/82	Nov. 13/82
amended.....		727/82	Nov. 13/82
amended.....		847/82	Jan. 8/83
amended.....		73/83	Feb. 12/83
amended.....		276/83	May 21/83
amended.....		360/83	July 9/83
amended.....		462/83	Aug. 6/83
amended.....		480/83	Aug. 13/83
amended.....		557/83	Sept. 17/83
amended.....		690/83	Nov. 12/83
amended.....		700/83	Nov. 19/83
amended.....		784/83	Jan. 7/84
amended.....		65/84	Feb. 18/84
amended.....		216/84	Apr. 28/84
amended.....		312/84	June 2/84
amended.....		498/84	Aug. 18/84
amended.....		706/84	Nov. 17/84
amended.....		709/84	Nov. 17/84
amended.....		748/84	Dec. 15/84
amended.....		825/84	Jan. 19/85
amended.....		29/85	Feb. 9/85
amended.....		136/85	Apr. 20/85
amended.....		207/85	May 25/85
amended.....		402/85	Aug. 17/85
amended.....		484/85	Oct. 19/85
amended.....		555/85	Nov. 16/85
amended.....		595/85	Dec. 7/85
amended.....		676/85	Jan. 4/86
amended.....		49/86	Feb. 15/86

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....	165/86	Apr.	12/86
amended.....	245/86	May	17/86
amended.....	396/86	July	12/86
amended.....	444/86	Aug.	16/86
amended.....	504/86	Sept.	13/86
amended.....	638/86	Nov.	15/86
amended.....	643/86	Nov.	15/86
amended.....	740/86	Jan.	3/87
amended.....	742/86	Jan.	3/87
amended.....	40/87	Feb.	14/87
amended.....	169/87	Apr.	18/87
amended.....	227/87	May	9/87
amended.....	379/80	July	11/87
amended.....	380/87	July	11/87
amended.....	453/87	Aug.	15/87
amended.....	589/87	Nov.	14/87
amended.....	592/87	Nov.	14/87
amended.....	683/87	Dec.	26/87
amended.....	712/87	Jan.	2/88
amended.....	49/88	Feb.	13/88
amended.....	268/88	May	14/88
amended.....	483/88	Aug.	13/88
amended.....	548/88	Sept.	17/88
amended.....	649/88	Nov.	12/88
amended.....	703/88	Dec.	10/88
amended.....	746/88	Dec.	31/88

FAMILY LAW ACT, 1986

Designation of Matrimonial Home - Forms.....	95/86	Mar.	8/86
Election of Surviving Spouse.....	606/86	Oct.	25/86

FAMILY LAW REFORM ACT(See now Family Law Act, 1986)

Designation of Matrimonial Home - Forms..... (revoked by 95/86)	319
--	-----

FARM INCOME STABILIZATION ACT

Apple Stabilization, 1983-1987 - Plan.....	431/83	July	23/83
amended.....	285/85	June	22/85
amended.....	656/85	Jan.	4/86
amended.....	657/85	Jan.	4/86
amended.....	190/86	Apr.	26/86
amended.....	510/86	Sept.	13/86
amended.....	187/87	Apr.	18/87
amended.....	492/87	Sept.	12/87
amended.....	660/87	Dec.	19/87
amended.....	102/88	Mar.	5/88
Barley Stabilization, 1982-1984 - Plan.....	668/82	Oct.	23/82
amended.....	596/83	Oct.	15/83
amended.....	750/83	Dec.	17/83
amended.....	793/83	Jan.	7/84
amended.....	554/84	Sept.	8/84
(revoked by 580/87)			

	R.R.O. 1980	O.Reg.	Date of Gazette
Corn - 1981 Crop Year (Base prices, etc.)..... (revoked by 580/87)		36/83	Feb. 5/83
Corn Stabilization, 1977 - Plan..... (this Reg. amends O.Reg. 365/78) (revoked by 580/87)		293/81	May 23/81
Corn Stabilization, 1979-1981 - Plan..... amended..... (revoked by 669/82)	320	294/81	May 23/81
Corn Stabilization, 1982-1984 - Plan..... amended..... amended..... amended..... amended..... amended..... (revoked by 580/87)		669/82 598/83 749/83 791/83 218/84 555/84	Oct. 23/82 Oct. 15/83 Dec. 17/83 Jan. 7/84 April 28/84 Sept. 8/84
Enrolment in Plans and Transfer of Credits.....		292/81	May 23/81
Fresh Market Potato Stabilization, 1986-1989 - Plan..... amended.....		585/86 493/87	Oct. 18/86 Sept. 12/87
Grain Stabilization, 1985-1988 - Plan..... amended..... amended..... amended..... amended..... amended..... amended..... amended.....		509/85 586/86 587/86 183/87 477/87 530/87 229/88 432/88	Oct. 26/85 Oct. 18/86 Oct. 18/86 Apr. 18/87 Aug. 29/87 Sept. 26/87 Apr. 30/88 July 23/88
Soybeans - 1981 Crop Year (Base prices, etc.)..... (revoked by 580/87)		35/83	Feb. 5/83
Soybean Stabilization, 1979-1981 - Plan..... amended..... (revoked by 672/82)	321	295/81	May 23/81
Soybean Stabilization, 1982-1984 - Plan..... amended..... amended..... amended..... amended..... amended.....		672/82 597/83 748/83 792/83 558/84 645/85	Oct. 23/82 Oct. 15/83 Dec. 17/83 Jan. 7/84 Sept. 8/84 Dec. 28/85
To Revoke Certain Regulations.....		580/87	Nov. 7/87
Weaner Pig Stabilization, 1980-1985 - Plan.... amended..... amended..... amended..... amended..... amended.....	322	460/82 792/82 132/83 97/84 482/84	July 17/82 Dec. 18/82 Mar. 26/83 Mar. 3/84 Aug. 18/84

	R.R.O. 1980	O.Reg.	Date of Gazette	
amended.....		722/84	Nov.	24/84
amended.....		11/85	Jan.	26/85
(revoked by 580/87)				
White Bean Stabilization, 1979-1981 - Plan....	323			
amended.....		296/81	May	23/81
(revoked by 670/82)				
White Bean Stabilization, 1982-1984 - Plan....		670/82	Oct.	23/82
amended.....		599/83	Oct.	15/83
amended.....		752/83	Dec.	17/83
amended.....		98/84	Mar.	3/84
amended.....		557/84	Sept.	8/84
(revoked by 580/87)				
Winter Wheat Stabilization, 1979-1981 - Plan..	324			
amended.....		297/81	May	23/81
(revoked by 671/82)				
Winter Wheat Stabilization, 1982-1984 - Plan..		671/82	Oct.	23/82
amended.....		600/83	Oct.	15/83
amended.....		751/83	Dec.	17/83
amended.....		556/84	Sept.	8/84
amended.....		48/85	Feb.	16/85
(revoked by 580/87)				
FARM PRODUCTS CONTAINERS ACT				
(See now <u>Farm Products Containers Act, 1982</u>)				
Fruit and Vegetables.....	325			
(revoked by 428/83)				
FARM PRODUCTS CONTAINERS ACT, 1982				
Containers - Fruit and Vegetables.....		428/83	July	16/83
FARM PRODUCTS GRADES AND SALES ACT				
Burley Tobacco.....	326			
(revoked by 417/87)				
Burley Tobacco.....		417/87	Aug.	1/87
Dairy Products.....	327			
revoked.....		629/84	Oct.	20/84
Flue-Cured Tobacco.....	328			
amended.....		659/83	Oct.	29/83
(revoked by 653/87)				
Flue-Cured Tobacco.....		653/87	Dec.	19/87
amended.....		632/88	Nov.	5/88
Fruit-Controlled Atmosphere Storage.....	329			
Grades -				
Beef Carcasses.....	330			
amended.....		765/81	Dec.	5/81

	R.R.O. 1980	O.Reg.	Date of Gazette
Christmas Trees.....	331		
Fruit and Vegetables.....	332		
amended.....		764/81	Dec. 5/81
amended.....		114/83	Mar. 19/83
amended.....		702/83	Nov. 19/83
amended.....		217/84	Apr. 28/84
amended.....		433/84	July 21/84
amended.....		460/85	Sept. 28/85
amended.....		583/86	Oct. 18/86
amended.....		529/87	Sept. 26/87
amended.....		532/88	Sept. 3/88
Hog Carcasses.....	333		
Lamb and Mutton Carcasses.....	334		
amended.....		766/81	Dec. 5/81
Poultry.....	335		
Veal Carcasses.....	336		
amended.....		767/81	Dec. 5/81
Grain.....		653/84	Nov. 3/84
amended.....		351/86	June 28/86
Honey.....	337		
(revoked by 399/82)			
Honey.....		399/82	June 26/82
amended.....		237/88	May 7/88
Licences.....	338		
(revoked by 253/86)			
Licences.....		253/86	May 24/86
Maple Products.....	339		
amended.....		72/85	Feb. 23/85
Potatoes.....		527/87	Sept. 26/87

FARM PRODUCTS MARKETING ACT

Apples -			
Plan.....	340		
amended.....		490/82	Aug. 7/82
amended.....		735/86	Jan. 3/87
amended.....		501/88	Aug. 27/88
Marketing.....	341		
amended.....		331/82	June 5/82
amended.....		385/84	July 7/84
amended.....		618/84	Oct. 20/84
amended.....		68/85	Feb. 23/85
amended.....		260/85	June 8/85
amended.....		194/86	Apr. 26/86
amended.....		736/86	Jan. 3/87
amended.....		431/88	July 23/88
amended.....		604/88	Oct. 15/88

	R.R.O. 1980	O.Reg.	Date of Gazette	
Arbitration of Disputes.....	342			
Asparagus -				
Plan.....	343			
amended.....		633/88	Nov.	5/88
Marketing.....	344			
amended.....		569/81	Sept.	12/81
amended.....		173/82	Apr.	10/82
amended.....		170/84	Apr.	7/84
amended.....		190/85	May	11/85
amended.....		506/85	Oct.	26/85
amended.....		757/88	Jan.	7/89
Beans -				
Plan.....	345			
amended.....		665/82	Oct.	23/82
amended.....		647/87	Dec.	19/87
amended.....		648/87	Dec.	19/87
Marketing.....	346			
amended.....		408/84	July	14/84
amended.....		506/85	Oct.	26/85
amended.....		649/87	Dec.	19/87
Berries for Processing -				
Plan.....	347			
Marketing.....	348			
amended.....		506/85	Oct.	26/85
Broiler and Roaster Hatching Eggs and Chicks -				
Plan.....		429/83	July	16/83
Marketing.....		436/83	July	23/83
amended.....		22/84	Jan.	28/84
amended.....		70/85	Feb.	23/85
Broiler Chickens and Roaster Chickens -				
Plan.....	349			
(revoked by 736/84)				
Marketing.....	350			
amended.....		366/82	June	12/82
amended.....		330/83	June	18/83
(revoked by 737/84)				
Burley Tobacco -				
Plan.....	351			
amended.....		259/85	June	8/85
Marketing.....	352			
amended.....		506/85	Oct.	26/85
amended.....		758/88	Jan.	7/89
By-Laws for Local Boards.....	353			
amended.....		283/85	June	22/85
Chicken - Extension of Powers.....	354			

	R.R.O. 1980	O.Reg.	Date of Gazette
Chickens -			
Plan.....		736/84	Dec. 1/84
amended.....		297/87	June 20/87
Marketing.....		737/84	Dec. 1/84
Designation -			
Ontario Canola Growers' Association.....		429/88	July 23/88
Ontario Coloured Bean Growers' Association.....		430/88	July 23/88
Eggs -			
Extension of Powers.....	355		
Plan.....	356		
amended.....		570/81	Sept. 12/81
amended.....		31/82	Feb. 13/82
amended.....		430/83	July 16/83
Marketing.....	357		
amended.....		610/81	Oct. 3/81
amended.....		687/81	Oct. 31/81
amended.....		435/83	July 23/83
Marketing Limitations.....	358		
Fresh Grapes -			
Plan.....	359		
Marketing.....	360		
amended.....		692/84	Nov. 17/84
Fresh Potatoes -			
Plan.....	361		
Marketing.....	362		
amended.....		526/81	Aug. 22/81
amended.....		419/83	July 16/83
amended.....		506/85	Oct. 26/85
amended.....		759/88	Jan. 7/89
Grapes for Processing -			
Plan.....	363		
Marketing.....	364		
amended.....		189/85	May 11/85
amended.....		506/85	Oct. 26/85
Greenhouse Vegetables -			
Plan.....	365		
amended.....		634/88	Nov. 5/88
Marketing.....	366		
amended.....		772/83	Dec. 24/83
amended.....		473/85	Oct. 5/85
amended.....		612/88	Oct. 15/88

	R.R.O. 1980	O.Reg.	Date of Gazette	
Hogs -				
Plan.....	367			
amended.....		179/85	May	4/85
amended.....		93/88	Mar.	5/88
Marketing.....	368			
amended.....		180/85	May	4/85
amended.....		506/85	Oct.	26/85
amended.....		22/88	Feb.	6/88
Local Boards.....	369			
amended.....		322/83	June	11/83
amended.....		284/85	June	22/85
Potatoes -				
Plan.....	370			
Marketing.....	371			
amended.....		108/81	Mar.	14/81
amended.....		96/84	Mar.	3/84
amended.....		506/85	Oct.	26/85
amended.....		195/86	Apr.	26/86
amended.....		291/88	May	28/88
amended.....		760/88	Jan.	7/89
Processing Tomato Seedling Plants -				
Plan.....	372			
Marketing.....	373			
amended.....		506/85	Oct.	26/85
amended.....		196/86	Apr.	26/86
Rutabagas -				
Dissolution of Local Board.....		650/84	Nov.	3/84
Plan.....	374			
revoked.....		386/87	July	18/87
Marketing.....	375			
Seed Corn -				
Plan.....	376			
amended.....		66/83	Feb.	12/83
Marketing.....	377			
amended.....		114/82	Mar.	13/82
amended.....		67/83	Feb.	12/83
amended.....		506/85	Oct.	26/85
Sheep -				
Plan.....		262/85	June	8/85
Marketing.....		263/85	June	8/85
amended.....		584/87	Nov.	14/87
Soya Beans -				
Plan.....	378			
amended.....		34/83	Feb.	5/83
amended.....		650/86	Nov.	15/86

	R.R.O. 1980	O.Reg.	Date of Gazette	
Marketing.....	379			
amended.....		640/84	Oct.	27/84
amended.....		163/85	Apr.	20/85
Sugar Beets - Dissolution of Local Board.....		474/82	July	24/82
Tender Fruit -				
Plan.....	380			
Marketing.....	381			
amended.....		506/85	Oct.	26/85
amended.....		613/86	Nov.	1/86
To Amend Certain Regulations.....		506/85	Oct.	26/85
Tobacco -				
Plan.....	382			
amended.....		21/86	Feb.	1/86
amended.....		531/87	Sept.	26/87
Marketing	383			
amended.....		321/83	June	11/83
amended.....		619/84	Oct.	20/84
amended.....		652/85	Dec.	28/85
amended.....		23/86	Feb.	8/86
amended.....		298/87	June	20/87
amended.....		138/88	Mar.	26/88
Turkeys -				
Plan.....	384			
amended.....		100/83	Mar.	5/83
Marketing.....	385			
amended.....		325/81	May	30/81
amended.....		506/85	Oct.	26/85
Marketing Limitations.....	386			
Vegetables for Processing -				
Plan.....	387			
amended.....		389/83	July	9/83
amended.....		560/85	Nov.	16/85
amended.....		649/86	Nov.	15/86
amended.....		650/87	Dec.	19/87
Marketing.....	388			
amended.....		115/82	Mar.	13/82
amended.....		20/83	Jan.	29/83
amended.....		116/84	Mar.	10/84
amended.....		69/85	Feb.	23/85
amended.....		174/85	Apr.	27/85
amended.....		506/85	Oct.	26/85
amended.....		108/86	Mar.	22/86
amended.....		123/86	Mar.	29/86
amended.....		86/87	Mar.	7/87
amended.....		583/87	Nov.	14/87
amended.....		32/88	Feb.	6/88
amended.....		70/88	Feb.	20/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Wheat -			
Plan.....	382		
amended.....		224/82	Apr. 24/82
Marketing.....	390		
amended.....		506/85	Oct. 26/85
FARM PRODUCTS PAYMENTS ACT			
Fund for Egg Producers.....		828/81	Dec. 26/81
amended.....		491/82	Aug. 7/82
amended.....		513/84	Aug. 25/84
Fund for Live Stock Producers.....		368/82	June 12/82
amended.....		525/82	Aug. 21/82
amended.....		347/84	June 16/84
Fund for Milk and Cream Producers.....	391		
amended.....		275/85	June 15/85
amended.....		561/85	Nov. 16/85
Fund for Producers of Grain Corn.....		651/84	Nov. 3/84
amended.....		139/87	Apr. 4/87
amended.....		494/87	Sept. 12/87
amended.....		378/88	July 2/88
Fund for Producers of Potatoes for Processing.....		528/87	Sept. 26/87
Fund for Producers of Soya-Beans.....		652/84	Nov. 3/84
amended.....		140/87	Apr. 4/87
amended.....		495/87	Sept. 12/87
amended.....		556/88	Sept. 24/88
Fund for Producers of Vegetables For Processing.....		348/84	June 16/84
amended.....		241/88	May 7/88
amended.....		380/88	July 2/88
FIRE DEPARTMENTS ACT			
Filing in Supreme Court Decision of Arbitrator or Arbitration Board.....	392		
Standards for Pumpers.....	393		
FIRE MARSHALS ACT			
Fire Code.....		730/81	Nov. 21/81
amended.....		251/83	May 14/83
amended.....		425/84	July 14/84
(revoked by 67/87)			
Fire Code.....		67/87	Feb. 28/87
General	394		
amended.....		840/84	Jan. 19/85

	R.R.O. 1980	O.Reg.	Date of Gazette
FISH INSPECTION ACT			
Quality Control.....	395		
FOREST FIRES PREVENTION ACT			
Fire Regions.....	396		
amended.....		207/84	Apr. 28/84
amended.....		13/86	Feb. 1/86
Restricted Fire Zone..... (expired)		283/81	May 23/81
Restricted Fire Zone..... revoked.....		348/81 353/81	June 6/81 June 13/81
Restricted Fire Zone..... (expired)		469/81	Aug. 1/81
Restricted Fire Zone..... revoked.....		514/81 524/81	Aug. 15/81 Aug. 22/81
Restricted Fire Zone..... (expired)		523/81	Aug. 22/81
Restricted Fire Zone..... (expired)		287/82	May 15/82
Restricted Fire Zone..... (expired)		227/83	May 7/83
Restricted Fire Zone..... (revoked by 409/83)		397/83	July 9/83
Restricted Fire Zone..... revoked.....		398/83 409/83	July 9/83 July 16/83
Restricted Fire Zone..... (expired)		317/84	June 2/84
Restricted Fire Zone..... (expired)		567/84	Sept. 15/84
Restricted Fire Zone..... (expired)		572/84	Sept. 29/84
Restricted Fire Zone..... (expired)		178/85	May 4/85
Restricted Fire Zone..... (expired)		304/86	June 7/86
Restricted Fire Zone..... (expired)		305/86	June 7/86
Restricted Fire Zone..... (expired)		306/86	June 7/86
Restricted Fire Zone..... (expired)		308/86	June 14/86

	R.R.O. 1980	O.Reg.	Date of Gazette
Restricted Fire Zone..... (expired)		309/86	June 14/86
Restricted Fire Zone..... (expired)		310/86	June 14/86
Restricted Fire Zone..... (expired)		311/86	June 14/86
Restricted Fire Zone..... revoked.....		314/86 321/86	June 14/86 June 21/86
Restricted Fire Zone..... (expired)		315/86	June 14/86
Restricted Fire Zone..... revoked.....		316/86 321/86	June 14/86 June 21/86
Restricted Fire Zone..... revoked.....		317/86 321/86	June 14/86 June 21/86
Restricted Fire Zone..... (expired)		326/86	June 28/86
Restricted Fire Zone..... (expired)		329/86	June 29/86
Restricted Fire Zone..... (expired)		363/86	July 5/86
Restricted Fire Zone..... (expired)		221/87	May 9/87
Restricted Fire Zone..... (expired)		232/87	May 16/87
Restricted Fire Zone..... revoked.....		244/87 273/87	May 23/87 June 6/87
Restricted Fire Zone.....		185/88	Apr. 23/88
Restricted Fire Zone..... (expired)		273/88	May 21/88
Restricted Fire Zone..... revoked.....		281/88 289/88	May 21/88 May 28/88
Restricted Fire Zone..... revoked.....		288/88 314/88	May 28/88 May 28/88
Restricted Fire Zone.....		338/88	June 11/88
Restricted Fire Zone..... (revoked by 356/88)		348/88	June 18/88
Restricted Fire Zone.....		356/88	June 25/88
Restricted Fire Zone.....		369/88	June 25/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Restricted Fire Zone.....		428/88	July 23/88
revoked.....		441/88	July 30/88
Restricted Fire Zone.....		438/88	July 23/88
Restricted Fire Zone.....		440/88	July 30/88
Restricted Fire Zones.....		254/87	May 30/87
amended.....		259/87	May 30/87
amended.....		274/87	June 6/87
amended.....		279/87	June 6/87
amended.....		280/87	June 6/87
(expired)			
Restricted Fire Zones.....		351/87	July 4/87
amended.....		385/87	July 11/87
amended.....		395/87	July 18/87
Restricted Fire Zones.....		355/88	June 25/88
amended.....		357/88	June 25/88
Restricted Fire Zones.....		372/88	July 2/88
Restricted Fire Zones.....		383/88	July 2/88
Restricted Fire Zones.....		385/88	July 9/88
amended.....		401/88	July 9/88
Restricted Fire Zones.....		388/88	July 9/88
Restricted Fire Zones.....		408/88	July 16/88
Restricted Fire Zones.....		426/88	July 23/88
amended.....		439/88	July 23/88
revoked.....		442/88	July 30/88

FORESTRY ACT

Nurseries.....	397		
amended.....		30/83	Feb. 5/83
amended.....		514/84	Aug. 25/84
amended.....		466/86	Aug. 23/86
amended.....		590/88	Oct. 8/88

FREEDOM OF INFORMATION AND PROTECTION
OF PRIVACY ACT, 1987

Regulations.....		532/87	Sept. 26/87
amended.....		601/87	Nov. 21/87
amended.....		677/87	Dec. 26/87
amended.....		286/88	May 28/88
amended.....		436/88	July 23/88

FRESHWATER FISH MARKETING ACT (ONTARIO)

Regulations.....	398		
amended.....		777/81	Dec. 5/81

R.R.O. 1980	O.Reg.	Date of Gazette
----------------	--------	--------------------

FUEL TAX ACT, 1981

General.....	772/82	Dec.	11/82
amended.....	140/83	Mar.	26/83
amended.....	381/83	July	9/83
amended.....	387/83	July	9/83
amended.....	267/84	May	12/84
amended.....	602/84	Oct.	6/84
amended.....	775/84	Dec.	22/84
amended.....	185/85	May	11/85
amended.....	243/85	June	8/85
amended.....	104/86	Mar.	15/86
amended.....	546/86	Sept.	20/86
amended.....	197/87	Apr.	25/87
amended.....	251/87	May	30/87
amended.....	340/87	June	27/87
amended.....	372/87	July	11/87
amended.....	187/88	Apr.	23/88
amended.....	425/88	July	16/88
amended.....	471/88	Aug.	6/88
amended.....	608/88	Oct.	15/88
General.....	775/82	Dec.	11/82
amended.....	426/83	July	16/83
amended.....	510/83	Aug.	27/83
amended.....	604/83	Oct.	15/83
amended.....	643/83	Oct.	29/83
amended.....	266/84	May	12/84
amended.....	255/85	June	8/85
amended.....	448/86	Aug.	16/86
amended.....	303/87	June	20/87
amended.....	676/87	Dec.	26/87
amended.....	334/88	June	11/88
Grants for Farm Fuel Storage Tanks.....	689/82	Oct.	30/82
Grants for Fuel Storage and Transportation Tanks and Other Facilities.....	225/82	May	1/82
amended.....	771/82	Dec.	11/82
Refunds.....	470/88	Aug.	6/88
Taxable Price and Tax Payable on Fuel to Propel Motor Vehicles and Railway Equipment.....	579/82	Sept.	11/82
amended.....	638/82	Oct.	16/82
amended.....	843/82	Jan.	8/83
amended.....	187/83	Apr.	16/83
amended.....	411/83	July	16/83
amended.....	631/83	Oct.	15/83
amended.....	805/83	Jan.	14/84
amended.....	180/84	Apr.	14/84
amended.....	414/84	July	14/84
revoked.....	296/86	June	7/86

	R.R.O. 1980	O.Reg.	Date of Gazette
FUNERAL SERVICES ACT			
General.....	399		
amended.....		558/81	Sept. 5/81
amended.....		560/83	Sept. 17/83
amended.....		675/83	Nov. 5/83
amended.....		362/86	July 5/86
FUR FARMS ACT			
General.....	400		
amended.....		321/81	May 30/81
G			
GAME AND FISH ACT			
Amphibians.....		470/81	Aug. 1/81
Animals Declared to be Fur-Bearing			
Animals.....	401		
amended.....		692/81	Nov. 7/81
Aylmer Hunting Area.....		29/81	Feb. 14/81
Aylmer Lagoon Hunting Area.....	402		
Bag Limit for Black Bear.....	403		
Beaver Meadow Hunting Area.....		477/85	Oct. 5/85
Bobwhite Quail, Wild Turkey and			
Pheasant - Propagation and Sales.....	404		
amended.....		446/81	July 18/81
amended.....		517/86	Sept. 20/86
(revoked by 578/86)			
Bows and Arrows.....	405		
Bull Swamp.....	406		
amended.....		565/81	Sept. 12/81
(revoked by 694/81)			
Bullfrogs.....		694/81	Nov. 7/81
amended.....		522/86	Sept. 20/86
Calton Swamp Hunting Area.....		30/81	Feb. 14/81
Camden Lake Hunting Area.....	407		
Copeland Forest Hunting Area.....	408		
(revoked by 693/81)			
Copeland Forest Hunting Area.....		693/81	Nov. 7/81
amended.....		563/83	Sept. 24/83

	R.R.O. 1980	O.Reg.	Date of Gazette	
Crown Game Preserves.....	409			
amended.....		27/82	Feb.	13/82
amended.....		517/85	Nov.	2/85
Discharge of Fire-Arms From or Across Highways and Roads.....	410			
amended.....		113/81	Mar.	14/81
amended.....		388/81	June	27/81
Discharge of Fire-Arms on Sunday.....	411			
Fingal Hunting Area.....		28/81	Feb.	14/81
Fire-Arms - Aulneau Peninsula.....	412			
amended.....		428/82	July	3/82
amended.....		523/86	Sept.	20/86
Fishing Huts.....	413			
amended.....		753/81	Nov.	28/81
amended.....		24/82	Feb.	13/82
amended.....		380/85	Aug.	10/85
amended.....		71/86	Mar.	1/86
amended.....		574/86	Oct.	11/86
Fishing Licences.....	414			
amended.....		218/81	Apr.	25/81
amended.....		647/81	Oct.	17/82
amended.....		835/81	Jan.	2/82
amended.....		629/82	Oct.	9/82
amended.....		645/83	Oct.	29/83
amended.....		41/84	Feb.	11/84
amended.....		254/84	May	12/84
amended.....		756/84	Dec.	15/84
amended.....		15/85	Feb.	9/85
(revoked by 526/86)				
Fishing Licences.....		526/86	Sept.	20/86
Furs.....	415			
amended.....		154/81	Apr.	4/81
amended.....		857/81	Jan.	9/82
amended.....		203/82	Apr.	24/82
amended.....		627/82	Oct.	9/82
amended.....		621/83	Oct.	15/83
amended.....		700/84	Nov.	17/84
amended.....		701/84	Nov.	17/84
amended.....		4/85	Jan.	26/85
amended.....		519/85	Nov.	2/85
amended.....		521/85	Nov.	2/85
amended.....		518/86	Sept.	20/86
amended.....		598/86	Oct.	18/86
amended.....		573/87	Oct.	31/87
amended.....		628/87	Dec.	5/87
amended.....		15/88	Jan.	30/88
amended.....		664/88	Nov.	12/88
Fur Harvest, Fur Management and Conservation Course.....		154/82	Apr.	3/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Game Bird Hunting Preserves.....	416		
amended.....		447/81	July 18/84
Game Birds-Captivity, Propagation or Sale.....		578/86	Oct. 11/86
amended.....		673/86	Dec. 6/86
Guides.....	417		
amended.....		500/81	Aug. 15/81
amended.....		272/88	May 14/88
Horwood Lake Hunting Area.....		26/81	Feb. 14/81
amended.....		124/82	Mar. 20/82
amended.....		497/82	Aug. 7/82
revoked.....		128/83	Mar. 26/83
Hullett Hunting Area.....		628/82	Oct. 9/82
amended.....		594/83	Oct. 15/83
amended.....		547/84	Sept. 8/84
Hunter Safety Training Course.....	418		
Hunting in Lake Superior Provincial Park.....	419		
amended.....		125/82	Mar. 20/82
amended.....		130/83	Mar. 26/83
amended.....		220/85	June 1/85
Hunting in Larose Forest.....		476/85	Oct. 5/85
Hunting Licences.....	420		
amended.....		217/81	Apr. 25/81
amended.....		502/81	Aug. 15/81
amended.....		187/82	Apr. 10/82
amended.....		397/82	June 26/82
amended.....		499/82	Aug. 7/82
amended.....		683/82	Oct. 30/82
amended.....		127/83	Mar. 26/83
amended.....		138/83	Mar. 26/83
amended.....		155/83	Apr. 2/83
amended.....		376/83	July 9/83
amended.....		492/83	Aug. 20/83
amended.....		184/84	Apr. 14/84
amended.....		185/84	Apr. 14/84
amended.....		186/84	Apr. 14/84
amended.....		699/84	Nov. 17/84
amended.....		781/84	Dec. 29/84
amended.....		219/85	June 1/85
amended.....		221/85	June 1/85
amended.....		624/85	Dec. 14/85
amended.....		84/86	Mar. 8/86
amended.....		335/86	June 28/86
amended.....		519/86	Sept. 20/86
amended.....		520/86	Sept. 20/86
amended.....		524/86	Sept. 20/86
amended.....		525/86	Sept. 20/86
amended.....		688/86	Dec. 13/86
amended.....		27/87	Feb. 7/87
amended.....		62/87	Feb. 21/87
amended.....		132/87	Mar. 28/87
amended.....		410/87	July 25/87

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		464/87	Aug. 22/87
amended.....		499/87	Sept. 12/87
amended.....		629/87	Dec. 5/87
amended.....		719/87	Jan. 9/88
amended.....		58/88	Feb. 13/88
amended.....		554/88	Sept. 24/88
amended.....		571/88	Oct. 1/88
amended.....		725/88	Dec. 24/88
Hunting on Crown Lands in the Geographic Townships of Bruton and Clyde.....	421		
amended.....		427/83	May 14/83
Hunting on Designated Crown Land and in Provincial Parks.....	422		
amended.....		127/82	Mar. 20/82
amended.....		247/83	June 25/83
amended.....		621/83	Nov. 12/83
amended.....		323/84	June 9/84
amended.....		411/84	July 14/84
amended.....		624/84	Oct. 20/84
amended.....		44/85	Feb. 16/85
amended.....		83/85	Mar. 9/85
amended.....		280/85	June 15/85
amended.....		516/85	Nov. 2/85
amended.....		10/86	Feb. 1/86
amended.....		398/86	July 19/86
amended.....		521/86	Sept. 20/86
amended.....		565/86	Oct. 11/86
amended.....		636/87	Dec. 19/87
amended.....		573/88	Oct. 1/88
Lake St. Lawrence Hunting Area.....	423		
Licence to Chase Raccoon at Night and Fox, Coyote or Wolf During the Day.....		233/82	May 1/82
Licence to Possess Nets.....	424		
Luther Marsh Hunting Area.....	425		
Nashville Tract Hunting Area.....		487/86	Aug. 30/86
Navy Island Hunting Area.....		645/81	Oct. 17/81
amended.....		156/83	Apr. 2/83
Opasatika Hunting Area.....		27/81	Feb. 14/81
amended.....		126/82	Mar. 20/82
amended.....		496/82	Aug. 7/82
revoked.....		129/83	Mar. 26/83
Open Seasons -			
Black Bear.....	426		
amended.....		339/82	June 12/82
amended.....		493/83	Aug. 20/83
amended.....		327/85	July 6/85
amended.....		118/86	Mar. 29/86
amended.....		28/87	Feb. 7/87
amended.....		133/87	Mar. 28/87

	R.R.O. 1980	O.Reg.	Date of Gazette
Fur Bearing Animals.....	427		
amended.....		671/81	Oct. 24/81
amended.....		146/83	Apr. 2/83
amended.....		306/83	June 4/83
amended.....		308/84	June 2/84
amended.....		381/85	Aug. 10/85
Game Birds.....		501/81	Aug. 15/81
amended.....		156/82	Apr. 3/82
amended.....		192/83	Apr. 16/83
amended.....		508/84	Aug. 25/84
amended.....		782/84	Dec. 29/84
amended.....		218/85	June 1/85
amended.....		328/85	July 6/85
amended.....		687/86	Dec. 13/86
amended.....		673/87	Dec. 26/87
amended.....		404/88	July 16/88
amended.....		663/88	Nov. 12/88
Moose and Deer.....	428		
amended.....		471/81	Aug. 1/81
amended.....		591/81	Sept. 19/81
amended.....		644/81	Oct. 17/81
amended.....		157/82	Apr. 3/82
amended.....		297/82	May 22/82
amended.....		498/82	Aug. 7/82
amended.....		684/82	Oct. 30/82
amended.....		137/83	Mar. 26/83
amended.....		219/83	Apr. 30/83
amended.....		331/83	June 18/83
amended.....		494/83	Aug. 20/83
amended.....		229/84	Apr. 28/84
amended.....		507/84	Aug. 25/84
amended.....		14/85	Feb. 9/85
amended.....		217/85	June 1/85
amended.....		326/85	July 6/85
amended.....		83/86	Mar. 8/86
amended.....		336/86	June 28/86
amended.....		486/86	Aug. 30/86
amended.....		516/86	Sept. 20/86
amended.....		209/87	May 2/87
amended.....		409/87	July 25/87
amended.....		210/88	Apr. 23/88
amended.....		271/88	May 14/88
amended.....		512/88	Aug. 27/88
amended.....		570/88	Oct. 1/88
Rabbits and Squirrels.....		421/81	July 11/81
amended.....		171/82	Apr. 3/82
amended.....		150/83	Apr. 2/83
amended.....		213/85	June 1/85
amended.....		321/85	June 29/85
Orangeville Reservoir Hunting Area.....	429		
amended.....		595/83	Oct. 15/83
Permit to Export Game.....	430		
Petroglyphs Provincial Park Hunting Area.....		646/81	Oct. 17/81

	R.R.O. 1980	O.Reg.	Date of Gazette
Polar Bears.....	431		
Possession and Use of Fire-Arms in Darlington Provincial Park.....	432		
revoked.....		11/86	Feb. 1/86
Prohibition of Hunting and Possession of Fire-Arms.....		637/87	Dec. 19/87
(revoked by 614/88)			
Prohibition of Hunting and Possession of Fire-Arms.....		614/88	Oct. 15/88
Reporting and Registering Possession of Certain Game.....		217/86	May 10/86
Reptiles.....		397/84	July 7/84
amended.....		113/88	Mar. 12/88
Sale of Bass and Trout and Fishing Preserves.....	433		
amended.....		755/84	Dec. 15/84
Snares.....		156/81	Apr. 4/81
amended.....		579/86	Oct. 11/86
amended.....		674/87	Dec. 26/87
Stag Island Hunting Area.....	434		
Tiny Marsh Hunting Area.....	435		
amended.....		520/85	Nov. 2/85
amended.....		399/86	July 19/86
amended.....		572/88	Oct. 1/88
Trap-Line Areas.....	436		
amended.....		338/82	June 12/82
amended.....		475/84	Aug. 18/84
Traps.....		673/82	Oct. 23/82
amended.....		377/83	July 9/83
amended.....		5/85	Jan. 26/85
amended.....		329/85	July 6/85
Traps - Order under Subsection 30(4) of the Act.....		155/81	Apr. 4/81
Waters Set Apart - Frogs.....	437		
Wildlife Management Units.....		155/82	Apr. 3/82
amended.....		685/82	Oct. 30/82
amended.....		509/84	Aug. 25/84
amended.....		325/85	July 6/85
amended.....		518/85	Nov. 2/85
amended.....		337/86	June 28/86
amended.....		488/86	Aug. 30/86
amended.....		638/87	Dec. 19/87
amended.....		304/88	May 28/88
Wolves and Black Bears in Captivity.....	438		

	R.R.O. 1980	O.Reg.	Date of Gazette
GASOLINE HANDLING ACT			
Gasoline Handling Code.....	439		
amended.....		136/81	March 28/81
amended.....		436/82	July 10/82
amended.....		561/83	Sept. 17/83
amended.....		568/88	Oct. 1/88
amended.....		620/88	Oct. 22/88
GASOLINE TAX ACT			
General.....	440		
amended.....		179/81	Apr. 11/81
amended.....		547/81	Sept. 5/81
amended.....		626/81	Oct. 10/81
amended.....		37/82	Feb. 13/82
amended.....		246/82	May 1/82
amended.....		269/82	May 8/82
amended.....		386/83	July 9/83
amended.....		509/83	July 27/83
amended.....		603/83	Oct. 15/83
amended.....		648/84	Oct. 27/84
amended.....		254/85	June 8/85
amended.....		542/86	Sept. 20/86
amended.....		685/86	Dec. 13/86
amended.....		472/88	Aug. 6/88
General.....		648/86	Nov. 15/86
amended.....		186/88	Apr. 23/88
amended.....		473/88	Aug. 6/88
Taxable Prices and Tax on Gasoline and Aviation Fuel.....			
amended.....		441/81	July 11/81
amended.....		631/81	Oct. 10/81
amended.....		872/81	Jan. 16/82
amended.....		184/82	Apr. 10/82
amended.....		449/82	July 17/82
amended.....		639/82	Oct. 16/82
amended.....		842/82	Jan. 8/83
amended.....		186/83	Apr. 16/83
amended.....		412/83	July 16/83
amended.....		632/83	Oct. 15/83
amended.....		806/83	Jan. 14/84
amended.....		181/84	Apr. 14/84
amended.....		415/84	July 14/84
(revoked by 648/86)			
GENERAL SESSIONS ACT			
(See now <u>Courts of Justice Act, 1984</u>)			
Sittings of the General Sessions of the Peace for the Judicial District of Hamilton.....			
(expired)		11/81	Jan. 31/81
Sittings of the General Sessions of the Peace for the County of Peterborough.....			
(expired)		340/81	June 6/81

	R.R.O. 1980	O.Reg.	Date of Gazette	
Sittings of the General Sessions of the Peace for the Judicial District of Peel..... (expired)		341/81	June	6/81
Sittings of the General Sessions of the Peace for the Counties and Districts of Ontario..... (expired)		853/81	Jan.	9/82
Sittings of the General Sessions of the Peace for the District of Muskoka..... (expired)		385/82	June	19/82
Sittings of the General Sessions of the Peace for the Judicial District of Peel..... (expired)		386/82	June	19/82
Sittings of the General Sessions of the Peace for the County of Peterborough..... (expired)		423/82	July	3/82
Sittings of the General Sessions of the Peace for the Counties and Districts of Ontario..... (expired)		828/82	Jan.	8/83
Sittings of the General Sessions of the Peace for the Judicial District of Hamilton-Wentworth..... (expired)		27/83	Jan.	29/83
Sittings of the General Sessions of the Peace for the District of Kenora..... (expired)		174/83	Apr.	16/83
Sittings of the General Sessions of the Peace for the Judicial District of York..... (expired)		338/83	June	25/83
Sittings of the General Sessions of the Peace for the Judicial District of Peel..... (expired)		339/83	June	25/83
Sittings of the General Sessions of the Peace for the District of Parry Sound..... (expired)		433/83	July	23/83
Sittings of the General Sessions of the Peace for the County of Perth..... (expired)		434/83	July	23/83
Sittings of the General Sessions of the Peace for the Districts and Counties of Ontario..... (expired)		764/83	Dec.	24/83

	R.R.O. 1980	O.Reg.	Date of Gazette
Sittings of the General Sessions of the Peace for the Counties of Peterborough, Prescott and Russell, Lambton and Wellington.....		16/84	Jan. 28/84
(expired)			
Sittings of the General Sessions of the Peace for the Judicial District of Peel.....		17/84	Jan. 28/84
(expired)			
Sittings of the General Sessions of the Peace for the County of Perth.....		373/84	June 30/84
(expired)			
Sittings of the General Sessions of the Peace for the County of Perth.....		678/84	Nov. 10/84
(expired)			

GENERAL WELFARE ASSISTANCE ACT

Civil Legal Aid.....		829/82	Jan. 8/83
General.....	441		
amended.....		48/81	Feb. 21/81
amended.....		186/81	Apr. 11/81
amended.....		270/81	May 16/81
amended.....		480/81	Aug. 1/81
amended.....		697/81	Nov. 7/81
amended.....		722/81	Nov. 14/81
amended.....		68/82	Feb. 20/82
amended.....		312/82	May 22/82
amended.....		456/82	July 17/82
amended.....		548/82	Aug. 21/82
amended.....		655/82	Oct. 16/82
amended.....		656/82	Oct. 16/82
amended.....		722/82	Nov. 13/82
amended.....		728/82	Nov. 13/82
amended.....		786/82	Dec. 18/82
amended.....		69/83	Feb. 12/83
amended.....		277/83	May 21/83
amended.....		361/83	July 9/83
amended.....		463/83	Aug. 6/83
amended.....		558/83	Sept. 17/83
amended.....		649/83	Oct. 29/83
amended.....		657/83	Oct. 29/83
amended.....		691/83	Nov. 12/83
amended.....		698/83	Nov. 19/83
amended.....		785/83	Jan. 7/84
amended.....		62/84	Feb. 18/84
amended.....		214/84	Apr. 28/84
amended.....		309/84	June 2/84
amended.....		402/84	July 14/84
amended.....		495/84	Aug. 18/84
amended.....		703/84	Nov. 17/84
amended.....		708/84	Nov. 17/84
amended.....		823/84	Jan. 19/85
amended.....		824/84	Jan. 19/85
amended.....		26/85	Feb. 9/85
amended.....		137/85	Apr. 20/85

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		210/85	May 25/85
amended.....		399/85	Aug. 17/85
amended.....		552/85	Nov. 16/85
amended.....		677/85	Jan. 4/86
amended.....		46/86	Feb. 15/86
amended.....		139/86	Apr. 5/86
amended.....		244/86	May 17/86
amended.....		395/86	July 12/86
amended.....		441/86	Aug. 16/86
amended.....		503/86	Sept. 13/86
amended.....		639/86	Nov. 15/86
amended.....		640/86	Nov. 15/86
amended.....		681/86	Dec. 13/86
amended.....		741/86	Jan. 3/87
amended.....		743/86	Jan. 3/87
amended.....		37/87	Feb. 14/87
amended.....		170/87	Apr. 18/87
amended.....		226/87	May 9/87
amended.....		381/87	July 11/87
amended.....		450/87	Aug. 15/87
amended.....		489/87	Sept. 12/87
amended.....		590/87	Nov. 14/87
amended.....		593/87	Nov. 14/87
amended.....		713/87	Jan. 2/88
amended.....		50/88	Feb. 13/88
amended.....		269/88	May 14/88
amended.....		484/88	Aug. 13/88
amended.....		549/88	Sept. 17/88
amended.....		650/88	Nov. 12/88
amended.....		713/88	Dec. 17/88
amended.....		747/88	Dec. 31/88
Indian Bands.....	442		
amended.....		122/82	Mar. 20/82
amended.....		572/82	Sept. 11/82
amended.....		822/84	Jan. 19/85
amended.....		352/85	July 6/85
amended.....		564/86	Oct. 11/86
amended.....		642/87	Dec. 19/87
amended.....		318/88	June 4/88
GRAIN CORN MARKETING ACT, 1984			
Licence Fees.....		559/84	Sept. 8/84
amended.....		379/88	July 2/88
GRAIN ELEVATOR STORAGE ACT			
(See now <u>Grain Elevator Storage Act, 1983</u>)			
General.....	443		
(revoked by 420/84)			
GRAIN ELEVATOR STORAGE ACT, 1983			
General.....		420/84	July 14/84

R.R.O. 1980	O.Reg.	Date of Gazette
----------------	--------	--------------------

GUARANTEE COMPANIES SECURITIES ACT

Approved Guarantee Companies.....	444		
amended.....		21/81	Feb. 14/81
amended.....		106/81	Mar. 14/81
amended.....		107/81	Mar. 14/81
amended.....		568/81	Sept. 12/81
amended.....		759/81	Nov. 28/81
amended.....		562/83	Sept. 17/83
amended.....		125/84	Mar. 17/84
amended.....		93/85	Mar. 9/85
amended.....		230/85	June 1/85
amended.....		404/85	Aug. 24/85
amended.....		536/85	Nov. 9/85
amended.....		46/88	Feb. 13/88
amended.....		699/88	Dec. 10/88

H**HEALING ARTS RADIATION PROTECTION ACT**

Hospitals Prescribed For The Installation and Operation of Computerized Axial Tomography Scanners.....	344/84	June 16/84
amended.....	237/86	May 17/86
amended.....	557/86	Oct. 4/86
amended.....	24/87	Feb. 7/87
amended.....	241/87	May 23/87
amended.....	461/88	July 30/88
X-Ray Safety Code.....	45/84	Feb. 11/84
amended.....	511/85	Oct. 26/85
amended.....	722/87	Jan. 9/88

HEALTH CARE ACCESSIBILITY ACT, 1986

Administrative Charge.....	703/86	Dec. 20/86
----------------------------	--------	------------

HEALTH DISCIPLINES ACT

Child Resistant Packages.....	445	
Dental Hygienists.....	446	
amended.....	681/84	Nov. 10/84
amended.....	705/86	Dec. 20/86
amended.....	655/88	Nov. 12/88
Dentistry.....	447	
amended.....	71/81	Mar. 7/81
amended.....	194/81	Apr. 18/81
amended.....	504/81	Aug. 15/81
amended.....	720/83	Dec. 3/83
amended.....	682/84	Nov. 10/84
amended.....	581/85	Nov. 23/85

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		379/86	July 12/86
amended.....		637/86	Nov. 15/86
amended.....		657/87	Dec. 19/87
amended.....		11/88	Jan. 30/88
amended.....		245/88	May 7/88
amended.....		656/88	Nov. 12/88
Mental Health.....	449		
amended.....		205/82	Apr. 24/82
amended.....		823/82	Jan. 1/83
amended.....		851/82	Jan. 15/83
amended.....		112/83	Mar. 19/83
amended.....		192/84	Apr. 14/84
amended.....		344/85	July 6/85
amended.....		72/87	Feb. 28/87
amended.....		445/87	Aug. 15/87
Nursing.....	449		
amended.....		506/81	Aug. 15/81
amended.....		665/81	Oct. 24/81
amended.....		355/82	June 12/82
amended.....		588/83	Oct. 1/83
amended.....		144/85	Apr. 20/85
amended.....		556/86	Oct. 4/86
amended.....		11/87	Jan. 31/87
amended.....		134/88	Mar. 26/88
amended.....		340/88	June 11/88
amended.....		585/88	Oct. 8/88
Optometry.....	450		
amended.....		478/82	July 31/82
amended.....		47/87	Feb. 14/87
amended.....		586/88	Oct. 8/88
Parcost C.D.I.....		18/81	Feb. 7/81
amended.....		44/81	Feb. 21/81
amended.....		210/81	Apr. 25/81
(revoked by 413/81)			
Parcost C.D.I.....		413/81	July 4/81
amended.....		640/81	Oct. 17/81
(revoked by 829/81)			
Parcost C.D.I.....		829/81	Dec. 26/81
(revoked by 425/82)			
Parcost C.D.I.....		425/82	July 3/82
amended.....		613/82	Sept. 25/82
(revoked by 836/82)			
Parcost C.D.I.....		836/82	Jan. 8/83
amended.....		103/83	Mar. 12/83
(revoked by 427/83)			
Parcost C.D.I.....		427/83	July 16/83
(revoked by 107/84)			
Parcost C.D.I.....		107/84	Mar. 3/84
amended.....		172/84	Apr. 7/84
(revoked by 421/84)			

	R.R.O. 1980	O.Reg.	Date of Gazette
Parcost C.D.I..... (revoked by 839/84)		421/84	July 14/84
Parcost C.D.I.....	839/84	Jan.	19/85
amended.....	63/85	Feb.	23/85
amended..... (revoked by 690/86)	224/86	May	10/86
Pharmacy.....	451		
amended.....	505/81	Aug.	15/81
amended.....	356/82	June	12/82
amended.....	835/82	Jan.	8/83
amended.....	422/84	July	14/84
amended.....	817/84	Jan.	19/85
amended.....	671/86	Dec.	6/86
amended.....	719/86	Dec.	27/86
amended.....	512/87	Sept.	19/87
amended.....	595/87	Nov.	21/87
amended.....	657/88	Nov.	12/88

HEALTH INSURANCE ACT

General.....	452		
amended.....	36/81	Feb.	14/81
amended.....	37/81	Feb.	14/81
amended.....	38/81	Feb.	14/81
amended.....	61/81	Feb.	28/81
amended.....	120/81	Mar.	21/81
amended.....	121/81	Mar.	21/81
amended.....	122/81	Mar.	21/81
amended.....	139/81	Mar.	28/81
amended.....	168/81	Apr.	11/81
amended.....	231/81	May	2/81
amended.....	232/81	May	2/81
amended.....	253/81	May	16/81
amended.....	254/81	May	16/81
amended.....	298/81	May	23/81
amended.....	331/81	June	6/81
amended.....	332/81	June	6/81
amended.....	363/81	June	20/81
amended.....	395/81	June	27/81
amended.....	423/81	July	11/81
amended.....	459/81	July	25/81
amended.....	478/81	Aug.	1/81
amended.....	479/81	Aug.	1/81
amended.....	525/81	Aug.	22/81
amended.....	576/81	Sept.	12/81
amended.....	581/81	Sept.	12/81
amended.....	642/81	Oct.	17/81
amended.....	685/81	Oct.	31/81
amended.....	742/81	Nov.	21/81
amended.....	743/81	Nov.	21/81
amended.....	751/81	Nov.	28/81
amended.....	794/81	Dec.	12/81
amended.....	810/81	Dec.	19/81
amended.....	12/82	Jan.	30/82
amended.....	53/82	Feb.	20/82
amended.....	82/82	Mar.	6/82

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		83/82	Mar. 6/82
amended.....		235/82	May 1/82
amended.....		256/82	May 1/82
amended.....		260/82	May 8/82
amended.....		293/82	May 22/82
amended.....		294/82	May 22/82
amended.....		295/82	May 22/82
amended.....		335/82	June 5/82
amended.....		336/82	June 12/82
amended.....		337/82	June 12/82
amended.....		393/82	June 26/82
amended.....		412/82	July 3/82
amended.....		430/82	July 10/82
amended.....		431/82	July 10/82
amended.....		489/82	Aug. 7/82
amended.....		527/82	Aug. 21/82
amended.....		528/82	Aug. 21/82
amended.....		529/82	Aug. 21/82
amended.....		564/82	Sept. 4/82
amended.....		609/82	Sept. 25/82
amended.....		633/82	Oct. 9/82
amended.....		716/82	Nov. 13/82
amended.....		717/82	Nov. 13/82
amended.....		733/82	Nov. 20/82
amended.....		833/82	Jan. 8/83
amended.....		834/82	Jan. 8/83
amended.....		77/83	Feb. 19/83
amended.....		94/83	Feb. 26/83
amended.....		122/83	Mar. 26/83
amended.....		161/83	Apr. 9/83
amended.....		197/83	Apr. 16/83
amended.....		233/83	May 7/83
amended.....		242/83	May 14/83
amended.....		259/83	May 21/83
amended.....		281/83	May 28/83
amended.....		282/83	May 28/83
amended.....		285/83	May 28/83
amended.....		368/83	July 9/83
amended.....		458/83	Aug. 6/83
amended.....		460/83	Aug. 6/83
amended.....		497/83	Aug. 27/83
amended.....		540/83	Sept. 10/83
amended.....		651/83	Oct. 29/83
amended.....		704/83	Nov. 19/83
amended.....		721/83	Dec. 3/83
amended.....		789/83	Jan. 7/84
amended.....		808/83	Jan. 14/84
amended.....		3/84	Jan. 21/84
amended.....		33/84	Feb. 11/84
amended.....		53/84	Feb. 18/84
amended.....		56/84	Feb. 18/84
amended.....		93/84	Mar. 3/84
amended.....		168/84	Mar. 31/84
amended.....		209/84	Apr. 28/84
amended.....		288/84	May 19/84
amended.....		290/84	May 19/84
amended.....		351/84	June 23/84
amended.....		386/84	July 7/84
amended.....		387/84	July 7/84

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		388/84	July 7/84
amended.....		389/84	July 7/84
amended.....		390/84	July 7/84
amended.....		391/84	July 7/84
amended.....		478/84	Aug. 18/84
amended.....		479/84	Aug. 18/84
amended.....		480/84	Aug. 18/84
amended.....		518/84	Sept. 1/84
amended.....		548/84	Sept. 8/84
amended.....		610/84	Oct. 13/84
amended.....		611/84	Oct. 13/84
amended.....		615/84	Oct. 20/84
amended.....		637/84	Oct. 27/84
amended.....		638/84	Oct. 27/84
amended.....		662/84	Nov. 10/84
amended.....		663/84	Nov. 10/84
amended.....		717/84	Nov. 24/84
amended.....		751/84	Dec. 15/84
amended.....		752/84	Dec. 15/84
amended.....		799/84	Jan. 5/85
amended.....		826/84	Jan. 19/85
amended.....		827/84	Jan. 19/85
amended.....		828/84	Jan. 19/85
amended.....		829/84	Jan. 19/85
amended.....		18/85	Feb. 9/85
amended.....		19/85	Feb. 9/85
amended.....		20/85	Feb. 9/85
amended.....		60/85	Feb. 23/85
amended.....		145/85	Apr. 20/85
amended.....		206/85	May 25/85
amended.....		226/85	June 1/85
amended.....		274/85	June 15/85
amended.....		330/85	July 6/85
amended.....		345/85	July 6/85
amended.....		346/85	July 6/85
amended.....		347/85	July 6/85
amended.....		348/85	July 6/85
amended.....		408/85	Aug. 24/85
amended.....		515/85	Nov. 2/85
amended.....		535/85	Nov. 9/85
amended.....		565/85	Nov. 23/85
amended.....		697/85	Jan. 11/86
amended.....		18/86	Feb. 1/86
amended.....		19/86	Feb. 1/86
amended.....		20/86	Feb. 1/86
amended.....		32/86	Feb. 8/86
amended.....		33/86	Feb. 8/86
amended.....		41/86	Feb. 15/86
amended.....		42/86	Feb. 15/86
amended.....		78/86	Mar. 8/86
amended.....		90/86	Mar. 8/86
amended.....		121/86	Mar. 29/86
amended.....		156/86	Apr. 12/86
amended.....		157/86	Apr. 12/86
amended.....		158/86	Apr. 12/86
amended.....		179/86	Apr. 19/86
amended.....		180/86	Apr. 19/86
amended.....		215/86	May 3/86
amended.....		241/86	May 17/86

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		288/86	May 31/86
amended.....		341/86	June 28/86
amended.....		342/86	June 28/86
amended.....		388/86	July 12/86
amended.....		389/86	July 12/86
amended.....		390/86	July 12/86
amended.....		391/86	July 12/86
amended.....		438/86	Aug. 16/86
amended.....		455/86	Aug. 16/86
amended.....		558/86	Oct. 11/86
amended.....		559/86	Oct. 11/86
amended.....		610/86	Oct. 25/86
amended.....		645/86	Nov. 15/86
amended.....		646/86	Nov. 15/86
amended.....		647/86	Nov. 15/86
amended.....		704/86	Dec. 20/86
amended.....		721/86	Dec. 27/86
amended.....		722/86	Dec. 27/86
amended.....		744/86	Jan. 3/87
amended.....		745/86	Jan. 3/87
amended.....		746/86	Jan. 3/87
amended.....		25/87	Feb. 7/87
amended.....		51/87	Feb. 14/87
amended.....		76/87	Feb. 28/87
amended.....		105/87	Mar. 14/87
amended.....		118/87	Mar. 21/87
amended.....		212/87	May 9/87
amended.....		213/87	May 9/87
amended.....		283/87	June 13/87
amended.....		405/87	July 25/87
amended.....		425/87	Aug. 8/87
amended.....		426/87	Aug. 8/87
amended.....		427/87	Aug. 8/87
amended.....		457/87	Aug. 15/87
amended.....		458/87	Aug. 15/87
amended.....		471/87	Aug. 29/87
amended.....		472/87	Aug. 29/87
amended.....		596/87	Nov. 21/87
amended.....		616/87	Dec. 5/87
amended.....		617/87	Dec. 5/87
amended.....		36/88	Feb. 6/88
amended.....		43/88	Feb. 13/88
amended.....		126/88	Mar. 19/88
amended.....		137/88	Mar. 26/88
amended.....		192/88	Apr. 23/88
amended.....		214/88	Apr. 23/88
amended.....		240/88	May 7/88
amended.....		247/88	May 14/88
amended.....		265/88	May 14/88
amended.....		491/88	Aug. 20/88
amended.....		574/88	Oct. 1/88
amended.....		613/88	Oct. 15/88
amended.....		622/88	Oct. 22/88
amended.....		652/88	Nov. 12/88
amended.....		689/88	Nov. 26/88
amended.....		704/88	Dec. 10/88

HEALTH PROTECTION AND PROMOTION ACT, 1983

	R.R.O. 1980	O.Reg.	Date of Gazette
Areas Comprising Health Units.....	236/84	Apr.	28/84
amended.....	58/85	Feb.	16/85
amended.....	239/87	May	23/87
amended.....	447/87	Aug.	15/87
amended.....	80/88	Feb.	27/88
Camps in Unorganized Territory.....	193/84	Apr.	14/84
Capital Assistance Grants for Boards of Health.....	234/84	Apr.	28/84
Clinics for Sexually Transmitted Diseases.....	237/84	Apr.	28/84
Communicable Diseases - General.....	292/84	May	19/84
Designation of Communicable Diseases.....	161/84	Mar.	24/84
amended.....	698/86	Dec.	20/86
amended.....	666/88	Nov.	12/88
Designation of Municipal Members of Boards of Health.....	235/84	Apr.	28/84
amended.....	57/85	Feb.	16/85
amended.....	240/87	May	23/87
amended.....	446/87	Aug.	15/87
amended.....	79/88	Feb.	27/88
Designation of Reportable Diseases.....	162/84	Mar.	24/84
amended.....	699/86	Dec.	20/86
amended.....	667/88	Nov.	12/88
Exemption - Subsection 37a(2) of the Act.....	587/88	Oct.	8/88
Food Premises.....	243/84	May	5/84
Grants for Health Promotion Projects and Initiatives.....	479/87	Aug.	29/87
Grants to Boards of Health.....	382/84	June	30/84
amended.....	636/84	Oct.	27/84
amended.....	257/85	June	8/85
amended.....	515/87	Sept.	19/87
amended.....	604/87	Nov.	21/87
amended.....	246/88	May	7/88
Public Pools.....	381/84	June	30/84
amended.....	146/85	Apr.	20/85
amended.....	569/88	Oct.	1/88
Qualifications of Boards of Health Staff.....	164/84	Mar.	24/84
Rabies - Immunization.....	594/85	Dec.	7/85
amended.....	120/86	Mar.	29/86
amended.....	287/86	May	31/86
amended.....	501/86	Sept.	13/86
amended.....	622/86	Nov.	8/86
amended.....	660/86	Nov.	22/86

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		720/86	Dec. 27/86
amended.....		117/87	Mar. 21/87
amended.....		248/87	May 30/87
amended.....		416/87	Aug. 1/87
amended.....		581/87	Nov. 7/87
amended.....		135/88	Mar. 26/88
amended.....		341/88	June 11/88
Recreational Camps.....		242/84	May 5/84
Reports.....		490/85	Oct. 19/85
School Health Services and Programs.....		516/84	Aug. 25/84
Slaughterhouses and Meat Processing Plants....		293/84	May 19/84
Warrant.....		163/84	Mar. 24/84
HIGHWAY TRAFFIC ACT			
Allowable Gross Weight for Designated Class of Vehicle.....	453		
amended.....		199/87	Apr. 25/87
Appeals.....	454		
amended.....		117/81	Mar. 14/81
Covering of Loads.....	455		
Dangerous Loads.....	456		
revoked.....		364/85	July 13/85
Demerit Point System..... (revoked by 359/81)	457		
Demerit Point System.....		359/81	June 20/81
amended.....		360/81	June 20/81
amended.....		202/82	Apr. 24/82
amended.....		599/82	Sept. 18/82
amended.....		276/84	May 19/84
amended.....		633/84	Oct. 20/84
amended.....		67/86	Mar. 1/86
amended.....		724/86	Dec. 27/86
Designation of Highways.....	458		
Designation of Termination Date of Freeze-Up Periods under Subsection 102(2) of the Act.... (expired)		116/81	Mar. 14/81
Designation of Paved Shoulders on King's Highway.....	459		
amended.....		16/81	Feb. 7/81
Driver Improvement Program.....	460		
Driver Licence Examinations.....	461		
amended.....		729/82	Nov. 20/82
amended.....		275/84	May 19/84
amended.....		641/85	Dec. 28/85

	R.R.O. 1980	O.Reg.	Date of Gazette
Drivers' Licences.....	462		
amended.....		118/81	Mar. 14/81
amended.....		250/81	May 16/81
amended.....		361/81	June 20/81
amended.....		370/81	June 20/81
amended.....		371/81	June 20/81
amended.....		325/82	May 29/82
amended.....		357/82	June 12/82
amended.....		359/82	June 12/82
amended.....		543/82	Aug. 21/82
amended.....		597/82	Sept. 18/82
amended.....		743/82	Nov. 27/82
amended.....		121/84	Mar. 10/84
amended.....		277/84	May 19/84
amended.....		378/84	June 30/84
amended.....		488/84	Aug. 18/84
amended.....		725/84	Nov. 24/84
amended.....		267/85	June 15/85
amended.....		628/85	Dec. 14/85
amended.....		96/88	Mar. 5/88
amended.....		234/88	May 7/88
amended.....		285/88	May 21/88
amended.....		751/88	Jan. 7/89
Driver's Licence Suspension for Default of Payment of Fine.....	463		
Driving Instructor's Licence.....	464		
amended.....		362/81	June 20/81
amended.....		376/84	June 30/84
amended.....		242/86	May 17/86
amended.....		97/88	Mar. 5/88
Equipment.....	465		
amended.....		31/85	Feb. 9/85
Exemption from the Provisions of Section 7 of the Act - State of			
Alabama.....		230/84	Apr. 28/84
California.....		268/85	June 15/85
Florida.....		741/83	Dec. 17/83
Georgia.....		689/83	Nov. 12/83
Iowa.....		679/84	Nov. 10/84
Kansas.....		714/87	Jan. 2/88
Louisiana.....		740/83	Dec. 17/83
Maine.....		588/84	Sept. 29/84
Maryland.....		743/83	Dec. 17/83
Massachusetts.....		169/84	Nov. 31/84
Mississippi.....		686/83	Nov. 12/83

	R.R.O. 1980	O.Reg.	Date of Gazette
Missouri.....		687/83	Nov. 12/83
Montana.....		532/84	Sept. 1/84
New Jersey.....		490/84	Aug. 18/84
North Carolina.....		688/83	Nov. 12/83
Oregon.....		30/85	Feb. 9/85
Rhode Island.....		587/84	Sept. 29/84
South Carolina.....		739/83	Dec. 17/83
Tennessee..... (revoked by 268/85)		425/83	July 16/83
Tennessee.....		742/83	Dec. 17/83
Texas.....		726/84	Nov. 24/84
Virginia.....		102/84	Mar. 3/84
West Virginia.....		646/83	Oct. 29/83
Wisconsin.....		659/84	Nov. 3/84
Exemption from the Provisions of Sections 7 and 10 of the Act			
- States of the United States of America.....	466		
amended.....		643/81	Oct. 17/81
amended.....		415/82	July 3/82
amended.....		230/84	Apr. 28/84
amended.....		428/84	July 14/84
amended.....		490/84	Aug. 18/84
amended.....		532/84	Sept. 1/84
amended.....		588/84	Sept. 29/84
amended.....		659/84	Nov. 3/84
amended.....		679/84	Nov. 10/84
amended.....		726/84	Nov. 24/84
amended.....		268/85	June 15/85
Exemption from the Provisions of Sections 7 and 10 of the Act - State of			
Illinois.....		661/82	Oct. 23/82
Maryland..... (revoked by 268/85)		658/82	Oct. 23/82
Michigan.....		678/81	Oct. 31/81
South Dakota.....		660/82	Oct. 23/82
Exemption from the Provisions of Subsection 68(1) of the Act -			
Province of Alberta.....	467		
State of New York.....		121/83	Mar. 19/83

	R.R.O. 1980	O.Reg.	Date of Gazette	
Extending Term of Validity of Driver's Licence..... (revoked by 418/87)		375/87	July	11/87
Extending Validity of Driver's Licence..... (revoked by 549/81)		473/81	Aug.	1/81
Extending Validity of Driver's Licence..... (expired)		549/81	Sept.	5/81
Extending Validity of Motor Vehicle Permits..... (expired)		843/81	Jan.	2/82
Garage Licences.....	468			
amended.....		46/81	Feb.	21/81
amended.....		204/81	Apr.	18/81
amended.....		659/82	Oct.	23/82
General.....	469			
amended.....		45/81	Feb.	21/81
amended.....		95/81	Mar.	14/81
amended.....		193/81	Apr.	18/81
amended.....		248/81	May	16/81
amended.....		337/81	June	6/81
amended.....		460/81	July	25/81
amended.....		461/81	July	25/81
amended.....		664/81	Oct.	24/81
amended.....		791/81	Dec.	12/81
amended.....		792/81	Dec.	12/81
amended.....		801/81	Dec.	12/81
amended.....		358/82	June	12/82
amended.....		477/82	July	31/82
amended.....		542/82	Aug.	21/82
amended.....		744/82	Nov.	27/82
amended.....		49/84	Feb.	18/84
amended.....		489/84	Aug.	18/84
Gross Vehicle Weights.....	470			
Gross Weight on Bridges.....	471			
amended.....		111/87	Mar.	21/87
Gross Weight on the Kabitotikwia River Bridge.....		491/84	Aug.	18/84
revoked.....		122/85	Mar.	30/85
Gross Weight on the Kaministikwia River Bridge.....		524/83	Sept.	3/83
Gross Weight on the Trout Lake River Bridge.....		300/82	May	22/82
revoked.....		390/82	June	19/82
Highway Signs.....	472			
Load Limits.....		98/81	Mar.	14/81
amended.....		99/81	Mar.	14/81

	R.R.O. 1980	O.Reg.	Date of Gazette
Load Limits on Local Roads			
Within Local Roads Areas.....	473		
amended.....		100/81	Mar. 14/81
Motor Vehicle Inspection Stations.....	474		
amended.....		508/81	Aug. 15/81
amended.....		60/82	Feb. 20/82
amended.....		525/84	Sept. 1/84
amended.....		820/84	Jan. 19/85
amended.....		449/85	Sept. 21/85
amended.....		665/86	Nov. 29/86
amended.....		140/88	Mar. 26/88
Notice to Have Motor Vehicle Examined and Tested.....	475		
(revoked by 61/82)			
Notice to Have Motor Vehicle Examined and Tested.....		61/82	Feb. 20/82
amended.....		350/83	June 25/83
Over-Dimensional Farm Vehicles.....	476		
amended.....		427/84	July 14/84
amended.....		235/88	May 7/88
Parking.....	477		
amended.....		13/81	Feb. 7/81
amended.....		62/81	Feb. 28/81
amended.....		110/81	Mar. 14/81
amended.....		199/81	Apr. 18/81
amended.....		213/81	Apr. 25/81
amended.....		339/81	June 6/81
amended.....		445/81	July 18/81
amended.....		455/81	July 25/81
amended.....		529/81	Aug. 29/81
amended.....		661/81	Oct. 17/81
amended.....		717/81	Nov. 7/81
amended.....		790/81	Dec. 12/81
amended.....		803/81	Dec. 19/81
amended.....		856/81	Jan. 9/82
amended.....		14/82	Feb. 6/82
amended.....		123/82	Mar. 20/82
amended.....		228/82	May 1/82
amended.....		318/82	May 29/82
amended.....		396/82	June 26/82
amended.....		502/82	Aug. 7/82
amended.....		644/82	Oct. 16/82
amended.....		801/82	Dec. 25/82
amended.....		31/83	Feb. 5/83
amended.....		131/83	Mar. 26/83
amended.....		189/83	Apr. 16/83
amended.....		228/83	May 7/83
amended.....		400/83	July 16/83
amended.....		457/83	Aug. 6/83
amended.....		661/83	Oct. 29/83
amended.....		682/83	Nov. 12/83
amended.....		4/84	Jan. 21/84
amended.....		177/84	Apr. 14/84
amended.....		435/84	July 21/84

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		550/84	Sept. 1/84
amended.....		694/84	Nov. 17/84
amended.....		85/85	Mar. 9/85
amended.....		184/85	May 11/85
amended.....		214/85	June 1/85
amended.....		378/85	Aug. 3/85
amended.....		405/85	Aug. 24/85
amended.....		572/85	Nov. 23/85
amended.....		598/85	Dec. 14/85
amended.....		39/86	Feb. 15/86
amended.....		80/86	Mar. 8/86
amended.....		89/86	Mar. 8/86
amended.....		137/86	Apr. 5/86
amended.....		210/86	May 3/86
amended.....		319/86	June 21/86
amended.....		473/86	Aug. 23/86
amended.....		474/86	Aug. 23/86
amended.....		547/86	Sept. 27/86
amended.....		630/86	Nov. 15/86
amended.....		631/86	Nov. 15/86
amended.....		121/87	Mar. 28/87
amended.....		397/87	July 18/87
amended.....		543/87	Oct. 17/87
amended.....		684/87	Jan. 2/88
amended.....		157/88	Apr. 9/88
amended.....		316/88	June 4/88
amended.....		381/88	July 2/88
amended.....		504/88	Aug. 27/88
amended.....		505/88	Aug. 27/88
amended.....		629/88	Oct. 29/88
Portable Lane Control Signal Systems.....	478		
Reciprocal Suspension of Licences.....	479		
Restricted Use of Left Lanes by Commercial Motor Vehicles.....	480		
amended.....		535/81	Aug. 29/81
amended.....		17/82	Feb. 6/82
amended.....		804/83	Jan. 7/84
amended.....		87/85	Mar. 9/85
amended.....		193/85	May 11/85
amended.....		474/85	Oct. 5/85
amended.....		169/86	Apr. 12/86
Restricted Use of the King's Highway.....	481		
Safety Helmets.....	482		
amended.....		249/81	May 16/81
Safety Inspections.....	483		
amended.....		507/81	Aug. 15/81
amended.....		800/81	Dec. 12/81
amended.....		839/81	Jan. 2/82
amended.....		59/82	Feb. 20/82
amended.....		544/82	Aug. 21/82
amended.....		596/82	Sept. 18/82
amended.....		742/82	Nov. 27/82
amended.....		486/84	Aug. 18/84

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		527/84	Sept. 1/84
amended.....		821/84	Jan. 19/85
amended.....		127/86	Mar. 29/86
General Rules.....	484		
amended.....		277/81	May 23/81
amended.....		598/82	Sept. 18/82
amended.....		19/83	Jan. 29/83
amended.....		336/83	June 18/83
amended.....		487/84	Aug. 18/84
amended.....		433/87	Aug. 8/87
Seat Belt Assemblies.....	485		
amended.....		545/82	Aug. 21/82
amended.....		629/83	Oct. 15/83
amended.....		26/88	Feb. 6/88
Security of Loads.....		428/81	July 11/81
Signs.....	486		
amended.....		372/81	June 20/81
amended.....		802/81	Dec. 12/81
amended.....		414/82	July 3/82
amended.....		600/82	Sept. 18/82
amended.....		122/84	Mar. 10/84
amended.....		569/84	Sept. 15/84
amended.....		168/86	Apr. 12/86
amended.....		435/86	Aug. 16/86
Slow-Moving Vehicle Sign.....	487		
Special Permits.....	488		
amended.....		123/88	Mar. 19/88
Specifications and Standards for Trailer Couplings.....	489		
Speed Limits.....	490		
amended.....		67/81	Mar. 7/81
amended.....		109/81	Mar. 14/81
amended.....		176/81	Apr. 11/81
amended.....		200/81	Apr. 18/81
amended.....		338/81	June 6/81
amended.....		453/81	July 18/81
amended.....		534/81	Aug. 29/81
amended.....		573/81	Sept. 12/81
amended.....		592/81	Sept. 19/81
amended.....		696/81	Nov. 7/81
amended.....		708/81	Nov. 7/81
amended.....		19/82	Feb. 6/82
amended.....		21/82	Feb. 6/82
amended.....		137/82	Mar. 20/82
amended.....		227/82	May 1/82
amended.....		321/82	May 29/82
amended.....		344/82	June 12/82
amended.....		365/82	June 12/82
amended.....		465/82	July 24/82
amended.....		623/82	Oct. 9/82
amended.....		657/82	Oct. 23/82

	R.R.O. 1980	O.Reg.	Date of Gazette	
amended.....		677/82	Oct.	23/82
amended.....		698/82	Nov.	6/82
amended.....		758/82	Dec.	4/82
amended.....		800/82	Dec.	25/82
amended.....		827/82	Jan.	8/83
amended.....		97/83	Mar.	5/83
amended.....		190/83	Apr.	16/83
amended.....		191/83	Apr.	16/83
amended.....		235/83	May	7/83
amended.....		280/83	May	28/83
amended.....		382/83	July	9/83
amended.....		399/83	July	16/83
amended.....		579/83	Oct.	1/83
amended.....		693/83	Nov.	19/83
amended.....		762/83	Dec.	24/83
amended.....		773/83	Dec.	31/83
amended.....		23/84	Feb.	4/84
amended.....		90/84	Mar.	3/84
amended.....		101/84	Mar.	3/84
amended.....		117/84	Mar.	10/84
amended.....		158/84	Mar.	24/84
amended.....		178/84	Apr.	14/84
amended.....		303/84	May	26/84
amended.....		374/84	June	30/84
amended.....		468/84	Aug.	11/84
amended.....		524/84	Sept.	1/84
amended.....		628/84	Oct.	20/84
amended.....		658/84	Nov.	3/84
amended.....		687/84	Nov.	17/84
amended.....		789/84	Dec.	29/84
amended.....		36/85	Feb.	9/85
amended.....		37/85	Feb.	9/85
amended.....		86/85	Mar.	9/85
amended.....		172/85	Apr.	27/85
amended.....		181/85	May	4/85
amended.....		188/85	May	11/85
amended.....		334/85	July	6/85
amended.....		382/85	Aug.	10/85
amended.....		403/85	Aug.	24/85
amended.....		406/85	Aug.	24/85
amended.....		414/85	Aug.	31/85
amended.....		592/85	Dec.	7/85
amended.....		593/85	Dec.	7/85
amended.....		597/85	Dec.	14/85
amended.....		626/85	Dec.	14/85
amended.....		627/85	Dec.	14/85
amended.....		678/85	Jan.	4/86
amended.....		7/86	Jan.	25/86
amended.....		50/86	Feb.	15/86
amended.....		103/86	Mar.	15/86
amended.....		299/86	June	7/86
amended.....		320/86	June	21/86
amended.....		490/86	Aug.	30/86
amended.....		567/86	Oct.	11/86
amended.....		752/86	Jan.	10/87
amended.....		65/87	Feb.	28/87
amended.....		68/87	Feb.	28/87
amended.....		69/87	Feb.	28/87
amended.....		180/87	Apr.	18/87

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		398/87	July 18/87
amended.....		449/87	Aug. 15/87
amended.....		540/87	Oct. 10/87
amended.....		599/87	Nov. 21/87
amended.....		651/87	Dec. 19/87
amended.....		3/88	Jan. 23/88
amended.....		30/88	Feb. 6/88
amended.....		39/88	Feb. 13/88
amended.....		40/88	Feb. 13/88
amended.....		111/88	Mar. 12/88
amended.....		142/88	Mar. 26/88
amended.....		158/88	Apr. 9/88
amended.....		207/88	Apr. 23/88
amended.....		317/88	June 4/88
amended.....		368/88	June 25/88
amended.....		382/88	July 2/88
amended.....		387/88	July 9/88
amended.....		447/88	July 30/88
amended.....		468/88	Aug. 6/88
amended.....		503/88	Aug. 27/88
amended.....		522/88	Sept. 3/88
amended.....		562/88	Oct. 1/88
amended.....		580/88	Oct. 8/88
amended.....		693/88	Dec. 3/88
amended.....		724/88	Dec. 24/88
Speed Limits in Provincial Parks.....	491		
Speed Limits in Territory Without Municipal Organization.....		708/83	Nov. 19/83
amended.....		81/86	Mar. 8/86
Stopping of Vehicles on Parts of the King's Highway.....	492		
amended.....		201/81	Apr. 18/81
amended.....		707/81	Nov. 7/81
amended.....		804/81	Dec. 19/81
amended.....		520/83	Aug. 27/83
amended.....		790/84	Dec. 29/84
amended.....		460/87	Aug. 22/87
amended.....		544/87	Oct. 17/87
amended.....		208/88	Apr. 23/88
Stop Signs at Intersections.....	493		
amended.....		132/81	Mar. 28/81
amended.....		456/81	July 25/81
amended.....		22/82	Feb. 6/82
amended.....		119/82	Mar. 20/82
amended.....		319/82	May 29/82
amended.....		676/82	Oct. 23/82
amended.....		791/82	Dec. 18/82
amended.....		124/83	Mar. 26/83
amended.....		234/83	May 7/83
amended.....		696/83	Nov. 19/83
amended.....		523/84	Sept. 1/84
amended.....		791/84	Dec. 29/84
amended.....		192/85	May 11/85
amended.....		548/86	Sept. 27/86
amended.....		629/86	Nov. 15/86
amended.....		753/86	Jan. 10/87
amended.....		29/88	Feb. 6/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Stop Signs in Territory Without Municipal Organization.....		574/81	Sept. 12/81
amended.....		680/81	Oct. 31/81
amended.....		18/82	Feb. 6/82
amended.....		320/82	May 22/82
amended.....		622/82	Oct. 9/82
amended.....		123/83	Mar. 26/83
amended.....		424/83	July 16/83
amended.....		456/83	Aug. 6/83
amended.....		642/83	Oct. 29/83
amended.....		429/84	July 14/84
amended.....		749/84	Dec. 8/84
amended.....		379/85	Aug. 3/85
amended.....		574/85	Nov. 23/85
amended.....		625/85	Dec. 14/85
amended.....		570/87	Oct. 31/87
amended.....		603/87	Nov. 21/87
amended.....		28/88	Feb. 6/88
amended.....		193/88	Apr. 23/88
Tire Standards and Specifications.....	494		
(revoked by 741/81)			
Tire Standards and Specifications.....		741/81	Nov. 21/81
amended.....		541/82	Aug. 21/82
amended.....		351/83	June 25/83
amended.....		253/84	May 12/84
amended.....		98/85	Mar. 16/85
Traffic Control Signal Systems.....		526/84	Sept. 1/84
Use of Controlled-Access Highways by Pedestrians.....	495		
amended.....		601/81	Sept. 19/81
amended.....		16/82	Feb. 6/82
amended.....		229/83	May 7/83
amended.....		88/84	Mar. 3/84
amended.....		102/86	Mar. 15/86
amended.....		685/87	Jan. 2/88
amended.....		156/88	Apr. 9/88
Vehicle Permits.....		744/82	Nov. 27/82
amended.....		108/84	Mar. 3/84
amended.....		120/84	Mar. 10/84
amended.....		278/84	May 19/84
amended.....		377/84	June 30/84
amended.....		724/84	Nov. 24/84
amended.....		819/84	Jan. 19/85
amended.....		154/85	Apr. 20/85
amended.....		579/85	Nov. 23/85
amended.....		6/86	Jan. 25/86
amended.....		86/86	Mar. 8/86
amended.....		621/86	Nov. 8/86
amended.....		569/87	Oct. 31/87
amended.....		139/88	Mar. 26/88
amended.....		141/88	Mar. 26/88

	R.R.O. 1980	O.Reg.	Date of Gazette	
Vehicles for the Transportation of				
Physically Disabled Passengers.....		167/81	Apr.	11/81
amended.....		788/84	Dec.	29/84
amended.....		155/85	Apr.	20/85
amended.....		370/87	July	11/87
amended.....		27/88	Feb.	6/88
Vehicles on Controlled-Access Highways.....	496			
amended.....		203/81	Apr.	18/81
amended.....		602/81	Sept.	19/81
amended.....		679/81	Oct.	31/81
amended.....		15/82	Feb.	6/82
amended.....		73/82	Feb.	27/82
amended.....		458/82	July	17/82
amended.....		615/82	Oct.	2/82
amended.....		89/84	Mar.	3/84
amended.....		573/85	Nov.	23/85
amended.....		136/86	Apr.	5/86
amended.....		686/87	Jan.	2/88
amended.....		155/88	Apr.	9/88
Yield Right of Way Signs in Territory Without Municipal Organization.....		13/82	Feb.	6/82
amended.....		132/82	Mar.	20/82
amended.....		544/83	Sept.	10/83
amended.....		750/84	Dec.	15/84
amended.....		575/85	Nov.	23/85
amended.....		634/85	Dec.	21/85
HISTORICAL PARKS ACT				
Historical Parks - Fees.....	497			
(revoked by 335/81)				
Historical Parks - Fees.....		335/81	June	6/81
(revoked by 152/86)				
Historical Parks - Fees.....		152/86	Apr.	12/86
(revoked by 216/86)				
Historical Parks - Fees.....		216/86	May	3/86
(revoked by 262/87)				
Historical Parks - Fees.....		262/87	May	30/87
amended.....		377/87	July	11/87
amended.....		169/88	Apr.	16/88
Parks.....	498			
amended.....		334/81	June	6/81
HOMEMAKERS AND NURSES SERVICES ACT				
General.....	499			
amended.....		236/81	May	2/81
amended.....		733/83	Dec.	10/83
amended.....		109/84	Mar.	10/84
amended.....		238/84	May	5/84
amended.....		105/85	Mar.	23/85
amended.....		302/86	June	7/86
amended.....		423/86	Aug.	2/86

	R.R.O. 1980	O.Reg.	Date of Gazette
HOMES FOR RETARDED PERSONS ACT			
General.....	500		
amended.....		821/81	Dec. 26/81
amended.....		732/83	Dec. 10/83
amended.....		499/84	Aug. 18/84
amended.....		707/84	Nov. 17/84
amended.....		49/85	Feb. 16/85
amended.....		503/85	Oct. 26/85
amended.....		384/87	July 11/87
HOMES FOR SPECIAL CARE ACT			
General.....	501		
amended.....		171/81	Apr. 11/81
amended.....		666/81	Oct. 24/81
amended.....		236/82	May 1/82
amended.....		736/82	Nov. 20/82
amended.....		232/83	May 7/83
amended.....		664/84	Nov. 10/84
amended.....		273/85	June 15/85
amended.....		91/86	Mar. 8/86
amended.....		406/87	July 25/87
amended.....		575/88	Oct. 1/88
HOMES FOR THE AGED AND REST HOMES ACT			
General.....	502		
amended.....		50/81	Feb. 21/81
amended.....		188/81	Apr. 11/81
amended.....		272/81	May 16/81
amended.....		377/81	June 20/81
amended.....		482/81	Aug. 1/81
amended.....		614/81	Oct. 3/81
amended.....		699/81	Nov. 7/81
amended.....		820/81	Dec. 26/81
amended.....		70/82	Feb. 20/82
amended.....		313/82	May 22/82
amended.....		457/82	July 17/82
amended.....		550/82	Aug. 21/82
amended.....		552/82	Aug. 21/82
amended.....		723/82	Nov. 13/82
amended.....		72/83	Feb. 12/83
amended.....		275/83	May 21/83
amended.....		464/83	Aug. 6/83
amended.....		581/83	Oct. 1/83
amended.....		608/83	Oct. 15/83
amended.....		630/83	Oct. 15/83
amended.....		650/83	Oct. 29/83
amended.....		699/83	Nov. 19/83
amended.....		731/83	Dec. 10/83
amended.....		765/83	Dec. 24/83
amended.....		55/84	Feb. 18/84
amended.....		64/84	Feb. 18/84
amended.....		311/84	June 2/84
amended.....		328/84	June 9/84
amended.....		497/84	Aug. 18/84
amended.....		705/84	Nov. 17/84
amended.....		28/85	Feb. 9/85

	R.R.O. 1980	O.Reg.	Date of Gazette	
amended.....		208/85	May	25/85
amended.....		350/85	July	6/85
amended.....		401/85	Aug.	17/85
amended.....		504/85	Oct.	26/85
amended.....		554/85	Nov.	16/85
amended.....		48/86	Feb.	15/86
amended.....		140/86	Apr.	5/86
amended.....		247/86	May	17/86
amended.....		367/86	July	12/86
amended.....		443/86	Aug.	16/86
amended.....		642/86	Nov.	15/86
amended.....		39/87	Feb.	14/87
amended.....		225/87	May	9/87
amended.....		383/87	July	11/87
amended.....		452/87	Aug.	15/87
amended.....		594/87	Nov.	14/87
amended.....		51/88	Feb.	13/88
amended.....		270/88	May	14/88
amended.....		485/88	Aug.	13/88
amended.....		510/88	Aug.	27/88
amended.....		651/88	Nov.	12/88

HOSPITAL LABOUR DISPUTES ARBITRATION ACT

Remuneration of Chairmen and Members of Arbitration Boards.....	503			
(revoked by 174/84)				
Remuneration of Chairmen and Members of Arbitration Boards.....		174/84	Apr.	7/84
(revoked by 338/87)				
Remuneration of Chairmen and Members of Arbitration Boards.....		338/87	June	27/87
Rules of Procedure.....	504			

HOTEL FIRE SAFETY ACT

General.....	505			
(revoked by 223/84)				
General.....		223/84	Apr.	28/84

HOUSING DEVELOPMENT ACT

General.....	506			
amended.....		780/83	Dec.	31/83
amended.....		227/84	Apr.	28/84
amended.....		452/84	July	28/84
amended.....		243/86	May	17/86

HUNTER DAMAGE COMPENSATION ACT

General.....	507			
--------------	-----	--	--	--

R.R.O.
1980

O.Reg.

Date of
Gazette**HYPNOSIS ACT**

Application of Section 2 of the Act..... 508

I**IDEA CORPORATION ACT, 1981**

Termination of IDEA Corporation..... 203/86 May 3/86

IMMUNIZATION OF SCHOOL PUPILS ACT, 1982

General..... 23/83 Jan. 29/83
 amended..... 543/84 Sept. 8/84
 amended..... 24/85 Feb. 9/85
 amended..... 541/85 Nov. 16/85
 amended..... 542/85 Nov. 16/85

INCOME TAX ACT

General..... 509
 amended..... 346/81 June 6/81
 amended..... 848/81 Jan. 9/82
 amended..... 527/85 Nov. 2/85
 amended..... 131/86 Apr. 5/86
 amended..... 191/87 Apr. 18/87

Ontario Tax Credit System Regulation..... 90/81 Mar. 14/81

Ontario Tax Credit System Regulation..... 52/82 Feb. 20/82

Ontario Tax Credit System..... 63/83 Feb. 12/83
 amended..... 302/83 June 4/83

Ontario Tax Credit System..... 249/84 May 12/84

Ontario Tax Credit System..... 119/85 Mar. 23/85
 amended..... 361/85 July 13/85

Ontario Tax Credit System..... 132/86 Apr. 5/86

Ontario Tax Credit System..... 127/87 Mar. 28/87

Ontario Tax Credit System..... 391/88 July 9/88

Taxable Income - Amount Prescribed
 under Section 6 of the Act..... 89/81 Mar. 14/81
 revoked..... 588/81 Sept. 12/81

Taxable Income - Amount Prescribed
 under Section 6 of the Act..... 253/82 May 1/82

Taxable Income - Amount Prescribed
 under Section 6 of the Act..... 301/83 June 4/83

	R.R.O. 1980	O.Reg.	Date of Gazette	
Taxable Income - Amount Prescribed under Section 6 of the Act.....		248/84	May	12/84
Taxable Income - Amount Prescribed under Section 6 of the Act.....		362/85	July	13/85
Taxable Income - Amounts Prescribed under Section 6 of the Act.....		130/86	Apr.	5/86
Taxable Income - Amounts Prescribed under Section 6 of the Act.....		192/87	Apr.	18/87
Tax Table for Individuals.....		864/81	Jan.	16/82
Temporary Surcharge - Prescribed Amount.....		512/83	Aug.	20/83
INDUSTRIAL STANDARDS ACT				
Designation of Industries and Zones.....	510			
Duties of Employers and Advisory Committees.....	511			
Interprovincially Competitive Industries.....	512			
Publication Code.....	513			
Schedule -				
Bricklaying and Stonemasonry Industry - Ottawa.....	514			
Bricklaying and Stonemasonry - Toronto.....	515			
Electrical Repair and Construction Industry - Ottawa.....	516			
Electrical Repair and Construction Industry - Toronto.....	517			
Fur Industry - Ontario.....	518			
amended.....		674/83	Nov.	5/83
Ladies' Cloak and Suit Industry - Ontario.....	519			
amended.....		846/81	Jan.	2/82
Ladies' Dress and Sportswear Industry.....	520			
amended.....		401/82	June	26/82
amended.....		458/84	Aug.	4/84
Lathing Industry - Ottawa.....	521			
Men's and Boys' Clothing Industry - Ontario.....	522			
amended.....		736/83	Dec.	10/83
amended.....		42/87	Feb.	14/87
amended.....		642/88	Nov.	5/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Painting and Decorating Industry			
- Ottawa.....	523		
Plastering Industry - Ottawa.....	524		
Plumbing and Heating Industry			
- Ottawa.....	525		
Plumbing and Heating Industry			
- Toronto.....	526		
Sheet-Metal Work Construction Industry			
- Ottawa.....	527		

INFLATION RESTRAINT ACT, 1982

First Collective Agreements of Newly Certified Bargaining Units.....	57/83	Feb.	5/83
amended.....	490/83	Aug.	20/83
(expired)			
General.....	819/82	Jan.	1/83
amended.....	844/82	Jan.	8/83
amended.....	144/83	Mar.	26/83
amended.....	236/83	May	7/83
amended.....	719/83	Dec.	3/83
(expired)			
Increase in Minimum Wages Under The Employment Standards Act.....	83/84	Feb.	25/84
(expired)			
Ontario Dairy Herd Improvement Corporation.....	91/83	Feb.	26/83
(expired)			
Ontario Municipal Employees Retirement System.....	92/83	Feb.	26/83
(expired)			

INSURANCE ACT

Agents' Licences.....	528		
amended.....	479/86	Aug.	30/86
Calculations Under Clause 39a(1)(b) of the Act.....	740/88	Dec.	31/88
Classes of Insurance.....	529		
Compensation Corporations.....	530/88	Sept.	3/88
General.....	530		
amended.....	837/84	Jan.	19/85
Life Companies Special Shares - Investment....	531		

	R.R.O. 1980	O.Reg.	Date of Gazette
Order under Paragraph 1 of subsection 85(2) of the Act - Rates of Interest.....	532		
amended.....		559/81	Sept. 5/81
amended.....		639/81	Oct. 17/81
amended.....		178/83	Apr. 16/83
amended.....		232/85	June 1/85
amended.....		135/87	Apr. 4/87
amended.....		208/87	May 2/87
amended.....		99/88	Mar. 5/88
amended.....		181/88	Apr. 16/88
Replacement of Life Insurance Contracts..... (revoked by 8/86)	533		
Replacement of Life Insurance Contracts.....		8/86	Jan. 25/86
Schedule of Fees.....	534		
amended.....		142/86	Apr. 5/86
Uninsured Automobile Coverage.....	535		
Variable Insurance Contracts of Life Insurers.....	536		
INTERPRETATION ACT			
Fees Payable under Various Acts.....	537		
amended.....		497/86	Sept. 6/86
amended.....		682/88	Nov. 19/88
INVESTMENT CONTRACTS ACT			
Registration.....	538		
amended.....		143/86	Apr. 5/86

J

JUDICATURE ACT(See now - Courts of Justice Act, 1984)

High Court - Composition..... (revoked by 329/82)	494/81	Aug.	8/81
High Court - Composition..... (revoked by 448/83)	329/82	June	5/82
High Court - Composition..... (revoked by 684/83)	448/83	July	30/83

	R.R.O. 1980	O.Reg.	Date of Gazette
JUDICATURE ACT AND MATRIMONIAL CAUSES ACT (See now - <u>Courts of Justice Act, 1984</u>)			
Rules of Practice and Procedure of the Supreme Court of Ontario.....	540		
amended.....		734/81	Nov. 21/81
amended.....		411/82	July 3/82
amended.....		709/82	Nov. 13/82
amended.....		141/83	Mar. 26/83
(revoked by 560/84)			
JUNIOR FARMER ESTABLISHMENT ACT			
Application for Bank Loan.....	541		
General.....	542		
JURIES ACT			
General.....	543		
amended.....		541/83	Sept. 10/83
amended.....		364/87	July 11/87
amended.....		418/88	July 16/88
JUSTICES OF THE PEACE ACT			
Salaries and Benefits.....		398/84	July 7/84
amended.....		675/84	Nov. 10/84
amended.....		673/85	Jan. 4/86
amended.....		189/86	April 19/86
amended.....		696/87	Jan. 2/88
amended.....		710/88	Dec. 17/88
L			
LABORATORY AND SPECIMEN COLLECTION CENTRE LICENSING ACT			
Laboratories.....	845		
amended.....		551/83	Sept. 10/83
Specimen Collection Centres.....	854		
amended.....		552/83	Sept. 10/83
LABOUR RELATIONS ACT			
General.....	544		
amended.....		408/81	July 4/81
amended.....		175/84	Apr. 7/84
amended.....		234/86	May 17/86
amended.....		337/87	June 27/87
Office of the Board.....	545		
Rules of Procedure.....	546		
amended.....		123/87	Mar. 28/87
amended.....		443/87	Aug. 15/87

	R.R.O. 1980	O.Reg.	Date of Gazette
LANDLORD AND TENANT ACT			
Classes of Accommodation Deemed Not to be Residential Premises.....	547		
amended.....		393/87	July 18/87
Forms.....	548		
amended.....		496/81	Aug. 8/81
amended.....		317/85	June 29/85
amended.....		391/85	Aug. 17/85
amended.....		394/87	July 18/87
Summary of Part IV of the Act.....	549		
amended.....		392/87	July 18/87
LAND REGISTRATION REFORM ACT, 1984			
General.....		580/84	Sept. 29/84
amended.....		35/85	Feb. 9/85
amended.....		134/85	Apr. 20/85
amended.....		452/85	Sept. 28/85
amended.....		163/86	Apr. 12/86
amended.....		422/86	Aug. 2/86
amended.....		440/86	Aug. 16/86
amended.....		30/87	Feb. 14/87
amended.....		176/87	Apr. 18/87
LAND TITLES ACT			
Application of Act..... (revoked by 550/81)	550		
Fees.....	551		
amended.....		806/81	Dec. 19/81
amended.....		324/83	June 11/83
amended.....		135/84	Mar. 17/84
amended.....		233/85	June 1/85
amended.....		265/86	May 24/86
amended.....		256/87	May 30/87
amended.....		655/87	Dec. 19/87
Forms, Records and Procedures.....		75/82	Feb. 27/82
amended.....		323/82	May 29/82
amended.....		350/82	June 12/82
amended.....		170/83	Apr. 9/83
amended.....		278/83	May 21/83
amended.....		284/84	May 19/84
amended.....		551/84	Sept. 8/84
amended.....		579/84	Sept. 29/84
amended.....		33/85	Feb. 9/85
amended.....		133/85	Apr. 20/85
amended.....		234/85	June 1/85
amended.....		238/85	June 1/85
amended.....		239/85	June 1/85
amended.....		454/85	Sept. 28/85
amended.....		79/86	Mar. 8/86
amended.....		212/86	May 3/86
amended.....		225/86	May 10/86
amended.....		79/87	Feb. 28/87

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		80/87	Feb. 28/87
amended.....		360/87	July 4/87
amended.....		525/87	Sept. 19/87
amended.....		585/87	Nov. 14/87
amended.....		669/87	Dec. 26/87
amended.....		373/88	July 2/88
General.....	552		
amended.....		583/81	Sept. 12/81
(revoked by 75/82)			
Land Titles Divisions.....	553		
(revoked by 550/81)			
Land Titles Divisions.....		550/81	Sept. 5/81
amended.....		166/83	Apr. 9/83
amended.....		449/84	July 28/84
(revoking 449/84).....		149/85	Apr. 20/85
amended.....		150/85	Apr. 20/85
amended.....		539/85	Nov. 9/85
amended.....		164/86	Apr. 12/86
amended.....		64/88	Feb. 20/88
Surveys and Descriptions of Land.....	554		
Transfer of Functions.....		415/87	Aug. 1/87
LAND TRANSFER TAX ACT			
Affidavits.....	555		
revoked.....		570/83	Sept. 24/83
Commercial Recreational Property.....	556		
(revoked by 623/83)			
Consolidated Affidavit of Residence and Value of Consideration.....	557		
(revoked by 613/81)			
Consolidated Affidavit of Residence and Value of Consideration.....		613/81	Oct. 3/81
amended.....		10/84	Jan. 21/84
amended.....		358/86	July 5/86
Delegation of Authority.....	558		
amended.....		335/83	June 18/83
amended.....		625/83	Oct. 15/83
amended.....		345/86	June 28/86
Exemption(s): -			
For Certain Final Orders of Foreclosure and for Inter-corporate Transfers of Land.....	559		
amended.....		628/83	Oct. 15/83
For Certain Easements Granted to Oil or Gas Pipe Lines.....	560		

	R.R.O. 1980	O.Reg.	Date of Gazette	
For Certain Insurance Companies..... (revoked by 623/83)	561			
For Certain Inter-Spousal Transfers..... amended.....	562	627/83	Oct.	15/83
For Conveyance to Family Farm Corporation or Family Business Corporation.....	563			
For Conveyance to Non-Resident Persons and Persons who are not Non-Resident Persons.....	564			
Final Orders of Foreclosure..... (revoked by 623/83)	565			
Forms.....	566			
amended.....		270/82	May	8/82
amended.....		385/83	July	9/83
amended.....		607/83	Oct.	15/83
amended.....		9/84	Jan.	21/84
amended.....		603/84	Oct.	6/84
amended.....		545/86	Sept.	20/86
amended.....		552/86	Oct.	4/86
Leases.....	567			
Minister Authorized to Exempt and Refund..... (revoked by 623/83)	568			
Notice of Purchaser's Lien for Default.....	569			
Rates of Interest..... (revoked by 38/82)	570			
Rates of Interest..... (revoked by 247/82)		38/82	Feb.	13/82
Rates of Interest..... (revoked by 516/83)		247/82	May	1/82
Rates of Interest.....		516/83	Aug.	27/83
amended.....		624/83	Oct.	15/83
amended.....		428/86	Aug.	16/86
Regulation to revoke Regulations 556, 561, 565 and 568 of R.R.O.1980.....		623/83	Oct.	15/83
Taxation of Mineral Lands.....	571			
Transfers Between Related Corporations..... amended.....	572	626/83	Oct.	15/83
LAW SOCIETY ACT				
General.....	573			
amended.....		296/83	June	4/83
amended.....		297/83	June	4/83
amended.....		407/83	July	16/83

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		365/84	June 23/84
amended.....		200/86	Apr. 26/86
amended.....		292/87	June 13/87
Law Foundation.....	574		
amended.....		520/87	Sept. 19/87
LEGAL AID ACT			
General.....	575		
amended.....		109/82	Mar. 13/82
amended.....		830/82	Jan. 8/83
amended.....		108/83	Mar. 12/83
amended.....		157/83	Apr. 2/83
amended.....		408/83	July 16/83
amended.....		121/85	Mar. 30/85
amended.....		674/85	Jan. 4/86
(revoked by 59/86)			
General.....		59/86	Feb. 22/86
amended.....		126/86	Mar. 29/86
amended.....		726/86	Dec. 27/86
amended.....		699/87	Jan. 2/88
LEGISLATIVE ASSEMBLY RETIREMENT ALLOWANCES ACT			
General.....	576		
LIGHTNING RODS ACT			
General.....	577		
LIMITED PARTNERSHIPS ACT			
General.....	578		
amended.....		443/82	July 10/82
amended.....		203/84	Apr. 14/84
amended.....		164/87	Apr. 11/87
amended.....		457/88	July 30/88
LINE FENCES ACT			
Appeals.....		412/88	July 16/88
Forms.....	579		
amended.....		371/88	June 25/88
Forms.....		10/82	Jan. 30/82
amended.....		370/88	June 25/88
Lands Situate in Territory Without Municipal Organization.....		9/82	Jan. 30/82
amended.....		413/88	July 16/88
LIQUOR CONTROL ACT			
General.....	580		
amended.....		85/82	Mar. 6/82
amended.....		391/82	June 26/82

R.R.O.
1980

O.Reg.

Date of
Gazette

amended.....	601/82	Sept. 25/82
amended.....	384/84	July 7/84
amended.....	583/85	Nov. 23/85
amended.....	486/88	Aug. 13/88
amended.....	544/88	Sept. 10/88

LIQUOR LICENCE ACT

General.....	581	
amended.....	20/81	Feb. 14/81
amended.....	105/81	Mar. 14/81
amended.....	358/81	June 20/81
amended.....	560/81	Sept. 5/81
amended.....	805/81	Dec. 19/81
amended.....	845/81	Jan. 2/82
amended.....	30/82	Feb. 13/82
amended.....	72/82	Feb. 27/82
amended.....	352/82	June 12/82
amended.....	353/82	June 12/82
amended.....	407/82	June 26/82
amended.....	408/82	June 26/82
amended.....	487/82	Aug. 7/82
amended.....	520/82	Aug. 14/82
amended.....	534/82	Aug. 21/82
amended.....	580/82	Sept. 11/82
amended.....	625/82	Oct. 9/82
amended.....	840/82	Jan. 8/83
amended.....	591/83	Oct. 1/83
amended.....	148/84	Mar. 17/84
amended.....	239/84	May 5/84
amended.....	251/84	May 12/84
amended.....	282/84	May 19/84
amended.....	318/84	June 9/84
amended.....	383/84	July 7/84
amended.....	446/84	July 28/84
amended.....	585/84	Sept. 29/84
amended.....	598/84	Oct. 6/84
amended.....	792/84	Dec. 29/84
amended.....	249/85	June 8/85
amended.....	315/85	June 29/85
amended.....	324/85	July 6/85
amended.....	537/85	Nov. 9/85
amended.....	584/85	Nov. 23/85
amended.....	70/86	Mar. 1/86
amended.....	277/86	May 31/86
amended.....	278/86	May 31/86
amended.....	483/86	Aug. 30/86
amended.....	651/86	Nov. 22/86
amended.....	693/86	Dec. 13/86
amended.....	713/86	Dec. 20/86
amended.....	1/87	Jan. 24/87
amended.....	16/87	Feb. 7/87
amended.....	17/87	Feb. 7/87
amended.....	78/87	Feb. 28/87
amended.....	95/87	Mar. 14/87
amended.....	134/87	Apr. 4/87
amended.....	266/87	May 30/87
amended.....	311/87	June 27/87
amended.....	553/87	Oct. 17/87

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....	679/87	Dec.	26/87
amended.....	706/87	Jan.	2/88
amended.....	83/88	Feb.	27/88
amended.....	84/88	Feb.	27/88
amended.....	122/88	Mar.	19/88
amended.....	275/88	May	21/88
amended.....	332/88	June	4/88
amended.....	352/88	June	18/88
amended.....	353/88	June	18/88
amended.....	459/88	July	30/88
amended.....	543/88	Sept.	10/88
amended.....	697/88	Dec.	3/88
amended.....	702/88	Dec.	10/88
amended.....	716/88	Dec.	17/88
Possession of Liquor in Charles Daley Park.... (revoked by 148/82)	328/81	May	30/81
Possession of Liquor in Conservation Areas Operated by the Halton Region Conservation Authority.....	724/83	Dec.	3/83
Possession of Liquor in Parks Managed or Controlled by The Niagara Parks Commission and The St. Clair Parkway Commission.....	290/88	May	28/88
Possession of Liquor in Provincial Parks..... (revoked by 148/82)	134/81	Mar.	28/81
Possession of Liquor in Provincial Parks.....	190/88	Apr.	23/88
Possession of Liquor in Provincial Parks and in Parks Managed or Controlled by The St. Clair Parkway Commission, The St. Lawrence Parks Commission and The Niagara Parks Commission..... (revoked by 94/87)	122/86	Mar.	29/86
Possession of Liquor in Provincial Parks and in Parks Managed or Controlled by the St. Lawrence Parks Commission..... (revoked by 190/88)	94/87	Mar.	14/87
Possession of Liquor in Provincial Parks and in Parks Managed or Controlled by The St. Lawrence Parks Commission and The Niagara Parks Commission..... (revoked by 151/83)	148/82	Apr.	3/82
Possession of Liquor in Provincial Parks and in Parks Managed or Controlled by The St. Lawrence Parks Commission and The Niagara Parks Commission..... (revoked by 160/84)	151/83	Apr.	2/83
Possession of Liquor in Provincial Parks and in Parks Managed or Controlled by The St. Lawrence Parks Commission and The Niagara Parks Commission..... (revoked by 151/85)	160/84	Mar.	24/84

	R.R.O. 1980	O.Reg.	Date of Gazette
Possession of Liquor in Provincial Parks and in Parks Managed or Controlled by The St. Lawrence Parks Commission and The Niagara Parks Commission.....		151/85	Apr. 20/85
(revoked by 122/86)			
LIVE STOCK AND LIVE STOCK PRODUCTS ACT			
Eggs.....	582		
amended.....		301/81	May 23/81
amended.....		571/81	Sept. 12/81
Live Stock.....		367/82	June 12/82
amended.....		526/82	Aug. 21/82
amended.....		589/82	Sept. 18/82
Processed Egg.....	583		
amended.....		302/81	May 23/81
Wool.....	584		
amended.....		303/81	May 23/81
LIVE STOCK BRANDING ACT			
Forms.....	585		
amended.....		88/82	Mar. 6/82
LIVE STOCK COMMUNITY SALES ACT			
General.....	586		
amended.....		775/81	Dec. 5/81
amended.....		258/85	June 8/85
amended.....		725/87	Jan. 16/88
LIVE STOCK MEDICINES ACT			
General.....	587		
amended.....		320/81	May 30/81
amended.....		259/82	May 8/82
amended.....		667/82	Oct. 23/82
amended.....		115/84	Mar. 10/84
amended.....		780/84	Dec. 22/84
amended.....		359/86	July 5/86
amended.....		115/87	Mar. 21/87
LOAN AND TRUST CORPORATIONS ACT			
Approved Trust Companies.....	588		
amended.....		347/82	June 12/82
amended.....		650/82	Oct. 16/82
amended.....		730/84	Dec. 1/84
(revoked by 18/87)			
Approved Trust Companies.....		18/87	Feb. 7/87
(revoked by 167/88)			
Common Trust Funds.....	589		
amended.....		784/82	Dec. 18/82
(revoked by 167/88)			

	R.R.O. 1980	O.Reg.	Date of Gazette
Financial Standards			
- Loan Corporations.....	590		
amended.....		667/84	Nov. 10/84
(revoked by 167/88)			
- Trust Companies.....	591		
amended.....		666/84	Nov. 10/84
(revoked by 167/88)			
Financial Statements.....	592		
(revoked by 167/88)			
Loan Corporations Special Shares			
- Investment.....	593		
(revoked by 167/88)			
Schedule of Fees.....	594		
amended.....		146/86	Apr. 5/86
(revoked by 167/88)			
Subordinated Notes			
- Loan Corporation.....	595		
(revoked by 167/88)			
- Trust Company.....	596		
(revoked by 167/88)			
Trust Company Special Shares			
- Investment.....	597		
(revoked by 167/88)			

LOAN AND TRUST CORPORATIONS ACT, 1987

General.....	167/88	Apr.	9/88
--------------	--------	------	------

LOCAL ROADS BOARDS ACT

Establishment of Local Roads Areas -			
Northern and Eastern Regions.....	598		
amended.....		78/81	Mar. 7/81
amended.....		88/81	Mar. 14/81
amended.....		235/81	May 2/81
amended.....		259/81	May 16/81
amended.....		546/81	Sept. 5/81
amended.....		77/82	Mar. 6/82
amended.....		265/82	May 8/82
amended.....		360/82	June 12/82
amended.....		22/83	Jan. 29/83
amended.....		76/83	Feb. 19/83
amended.....		193/83	Apr. 16/83
amended.....		214/83	Apr. 30/83
amended.....		314/83	June 4/83
amended.....		422/83	July 16/83
amended.....		670/83	Nov. 5/83
amended.....		241/84	May 5/84
amended.....		656/84	Nov. 3/84
amended.....		80/85	Mar. 9/85
amended.....		169/85	Apr. 20/85
amended.....		312/85	June 22/85

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		342/85	July 6/85
amended.....		651/85	Dec. 28/85
amended.....		55/86	Feb. 22/86
amended.....		166/86	Apr. 12/86
amended.....		220/86	May 10/86
amended.....		255/86	May 24/86
amended.....		318/86	June 21/86
amended.....		477/86	Aug. 30/86
amended.....		604/86	Oct. 25/86
amended.....		33/87	Feb. 14/87
amended.....		399/87	July 18/87
amended.....		545/87	Oct. 17/87
amended.....		602/87	Nov. 21/87
amended.....		191/88	Apr. 23/88
amended.....		535/88	Sept. 10/88
amended.....		665/88	Nov. 12/88
amended.....		752/88	Jan. 7/89
Northwestern Region.....	599		
amended.....		452/81	July 18/81
amended.....		625/81	Oct. 10/81
amended.....		66/82	Feb. 20/82
amended.....		258/82	May 1/82
amended.....		310/82	May 22/82
amended.....		7/83	Jan. 22/83
amended.....		87/83	Feb. 26/83
amended.....		254/83	May 14/83
amended.....		355/83	July 2/83
amended.....		132/84	Mar. 17/84
amended.....		274/84	May 19/84
amended.....		657/84	Nov. 3/84
amended.....		17/85	Feb. 9/85
amended.....		182/85	May 4/85
amended.....		201/85	May 25/85
amended.....		389/85	Aug. 17/85
amended.....		483/85	Oct. 12/85
amended.....		178/86	Apr. 19/86
amended.....		284/86	May 31/86
amended.....		374/86	July 12/86
amended.....		588/86	Oct. 18/86
amended.....		723/86	Dec. 27/86
amended.....		168/87	Apr. 18/87
amended.....		371/87	July 11/87
amended.....		47/88	Feb. 13/88
amended.....		333/88	June 11/88
amended.....		495/88	Aug. 20/88
General.....	600		

LOCAL SERVICES BOARDS ACT

Dissolution of Local Services Board - Croft Local Services Board.....		2/87	Jan. 24/87
Establishment of Local Services Board - Community of Alban.....		607/81	Sept. 26/81
Community of Armstrong.....	601		
amended.....		764/84	Dec. 15/84

	R.R.O. 1980	O.Reg.	Date of Gazette
Community of Aweres.....		342/88	June 11/88
Community of Bourkes.....		525/85	Nov. 2/85
Community of Britt.....		274/82	May 8/82
Community of Campbell Township.....		727/81	Nov. 14/81
Community of Caramat.....		597/81	Sept. 19/81
Community of Cartier.....		326/82	May 29/82
Community of Croft..... (revoked by 2/87)		778/83	Dec. 31/83
Community of Drayton.....		96/81	Mar. 14/81
amended.....		301/88	May 28/88
Community of Ferguson.....		435/85	Sept. 14/85
Community of Foleyet.....	602		
Community of Gogama.....	603		
amended.....		850/81	Jan. 9/82
amended.....		288/87	June 13/87
Community of Goulais River.....		642/85	Dec. 28/85
amended.....		739/86	Jan. 3/87
amended.....		275/87	June 6/87
Community of Hallebourg.....		688/85	Jan. 4/86
Community of Hawk Junction.....		85/81	Mar. 14/81
Community of Heron Bay.....		259/86	May 24/86
Community of Hudson.....	604		
amended.....		131/82	Mar. 20/82
amended.....		649/84	Oct. 27/84
Community of Hurkett.....		119/81	Mar. 14/81
Community of Jogues.....		459/85	Sept. 28/85
amended.....		706/86	Dec. 20/86
Community of Kaministiquia.....		410/85	Aug. 31/85
Community of Kenogami.....		687/88	Nov. 26/88
Community of King - Lebel.....		806/82	Dec. 25/82
Community of Lac Ste. Therese.....		302/88	May 28/88
Community of Lappe.....		556/82	Aug. 28/82
amended.....		548/87	Oct. 17/87
Community of Laurier.....		673/88	Nov. 19/88
Community of Lee Valley.....		458/85	Sept. 28/85

	R.R.O. 1980	O.Reg.	Date of Gazette
Community of Madawaska.....		741/82	Nov. 20/82
Community of Madsen.....	605		
Community of Maisonneville.....		542/87	Oct. 10/87
Community of Marter.....		87/87	Mar. 7/87
Community of Mills.....		688/88	Nov. 26/88
Community of Minaki.....		212/83	Apr. 30/83
Community of Missanabie.....		471/82	July 24/82
amended.....		800/83	Jan. 7/84
Community of Monetville.....		671/88	Nov. 19/88
Community of Moose Factory.....		664/86	Nov. 29/86
amended.....		287/87	June 13/87
Community of Nestor Falls.....		795/81	Dec. 12/81
Community of Oba.....		849/82	Jan. 15/83
Community of Peace Tree.....		289/87	June 13/87
Community of Pearson.....		472/82	July 24/82
Community of Redbridge.....		674/88	Nov. 19/88
Community of Redditt.....		796/81	Dec. 12/81
Community of Restoule.....		633/81	Oct. 17/81
amended.....		92/85	Mar. 9/85
Community of Robinson.....		333/81	June 6/81
Community of Rosspoint.....		782/82	Dec. 11/82
Community of Savant Lake.....		592/86	Oct. 18/86
Community of Savard and Area.....		528/83	Sept. 3/83
Community of Searchmont.....		596/81	Sept. 19/81
Community of Shakespeare.....		527/83	Sept. 3/83
Community of Shebandowan.....		545/88	Sept. 10/88
Community of Sultan.....		473/82	July 24/82
Community of Thorne.....		58/82	Feb. 20/82
amended.....		503/84	Aug. 25/84
Community of Tilden Lake.....		686/88	Nov. 26/88
Community of Wabigoon.....		7/81	Jan. 31/81
amended.....		549/87	Oct. 17/87

	R.R.O. 1980	O.Reg.	Date of Gazette
Community of Wharnccliffe and Kynoch.....		672/88	Nov. 19/88
Community of Willisville and Whitefish Falls.....		327/82	May 29/82
amended.....		445/82	July 17/82
amended.....		765/84	Dec. 15/84

M

MARRIAGE ACT

General.....	606		
amended.....		331/86	June 28/86
amended.....		630/88	Nov. 5/88

MEAT INSPECTION ACT (ONTARIO)

General.....	607		
--------------	-----	--	--

MECHANICS' LIEN ACT

(See now Construction Lien Act, 1983)

General.....	608		
amended.....		733/81	Nov. 21/81
(superseded)			

MEMBERS' CONFLICT OF INTEREST ACT, 1988

General.....	551/88	Sept. 17/88	(B)
--------------	--------	-------------	-----

MENTAL HEALTH ACT

Application of Act.....	609		
amended.....		173/81	Apr. 11/81
amended.....		454/81	July 18/81
amended.....		463/81	July 25/81
amended.....		207/82	Apr. 24/82
amended.....		225/82	May 1/82
amended.....		524/82	Aug. 14/82
amended.....		745/82	Nov. 27/82
amended.....		162/83	Apr. 9/83
amended.....		241/83	May 14/83
amended.....		542/83	Sept. 10/83
amended.....		543/83	Sept. 10/83
amended.....		673/83	Nov. 5/83
amended.....		154/84	Mar. 24/84
amended.....		155/84	Mar. 24/84
amended.....		261/84	May 12/84
amended.....		138/85	Apr. 20/85
amended.....		439/85	Sept. 21/85
amended.....		440/85	Sept. 21/85
amended.....		480/85	Oct. 12/85
amended.....		61/86	Feb. 22/86
amended.....		354/86	July 5/86
amended.....		489/86	Aug. 30/86

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		694/86	Dec. 13/86
amended.....		702/86	Dec. 20/86
amended.....		734/86	Jan. 3/87
amended.....		348/87	July 4/87
amended.....		391/87	July 18/87
amended.....		582/87	Nov. 7/87
Grants.....	610		
amended.....		174/81	Apr. 11/81
amended.....		215/81	Apr. 25/81
amended.....		226/82	May 1/82
amended.....		804/82	Dec. 25/82
amended.....		522/83	Sept. 3/83
amended.....		153/84	Mar. 24/84
amended.....		262/84	May 12/84
amended.....		139/85	Apr. 20/85
amended.....		349/87	July 4/87
MENTAL HOSPITALS ACT			
Application of Section 10 of the Public Hospitals Act.....		214/81	Apr. 25/81
General.....	611		
amended.....		172/81	Apr. 11/81
amended.....		682/81	Oct. 31/81
amended.....		237/82	May 1/82
amended.....		231/83	May 7/83
amended.....		210/84	Apr. 28/84
amended.....		665/84	Nov. 10/84
amended.....		272/85	June 15/85
amended.....		92/86	Mar. 8/86
amended.....		407/87	July 25/87
amended.....		576/88	Oct. 1/88
METROPOLITAN POLICE FORCE COMPLAINTS PROJECT ACT, 1981 (See now <u>Metropolitan Toronto Police Force Complaints Act, 1984</u>)			
METROPOLITAN TORONTO POLICE FORCE COMPLAINTS ACT, 1984			
General..... (revoked by 494/85)		854/81	Jan. 9/82
General.....		494/85	Oct. 19/85
amended.....		690/87	Jan. 2/88
MILK ACT			
By-Laws for Marketing Boards.....	612		
Cheese			
- Exchange.....		531/84	Sept. 1/84
- Exchanges.....	613		
amended..... (revoked by 531/84)		757/81	Nov. 28/81

	R.R.O. 1980	O.Reg.	Date of Gazette
- Information to be Furnished.....	614		
- Marketing.....	615		
- Marketing - Exemptions.....	616		
amended.....		197/81	Apr. 18/81
amended.....		196/82	Apr. 17/82
amended.....		322/82	ay 29/82
amended.....		200/83	Apr. 16/83
amended.....		195/84	Apr. 14/84
amended.....		165/85	Apr. 20/85
amended.....		177/86	Apr. 19/86
amended.....		179/87	Apr. 18/87
amended.....		172/88	Apr. 16/88
Cream for Processing			
- Plan.....	617		
amended.....		507/86	Sept. 13/86
amended.....		685/88	Nov. 26/88
- Marketing.....	618		
amended.....		599/81	Sept. 19/81
Cream Producers			
- Licences.....	619		
amended.....		855/81	Jan. 9/82
amended.....		380/82	June 19/82
amended.....		701/85	Jan. 18/86
amended.....		243/87	May 23/87
Grade A Milk - Marketing.....	620		
amended.....		40/81	Feb. 14/81
amended.....		195/81	Apr. 18/81
amended.....		266/81	May 16/81
amended.....		515/81	Aug. 15/81
(revoked by 541/81)			
Grade A Milk - Producers.....	621		
(revoked by 45/82)			
Grades, Standards, Designations, Classes, Packaging and Marking.....	622		
amended.....		732/82	Nov. 20/82
amended.....		31/84	Feb. 4/84
amended.....		630/84	Oct. 20/84
amended.....		584/86	Oct. 18/86
Industrial Milk - Marketing.....	623		
amended.....		41/81	Feb. 14/81
amended.....		196/81	Apr. 18/81
amended.....		267/81	May 16/81
amended.....		516/81	Aug. 15/81
amended.....		594/81	Sept. 19/81
amended.....		650/81	Oct. 17/81
amended.....		877/81	Jan. 16/82
amended.....		47/82	Feb. 20/82
amended.....		522/82	Aug. 14/82
amended.....		559/82	Aug. 28/82
amended.....		592/82	Sept. 18/82
amended.....		725/82	Nov. 13/82

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		857/82	Jan. 15/83
amended.....		81/83	Feb. 19/83
amended.....		199/83	Apr. 16/83
amended.....		253/83	May 14/83
amended.....		479/83	Aug. 13/83
amended.....		556/83	Sept. 17/83
amended.....		812/83	Jan. 14/84
amended.....		60/84	Feb. 18/84
amended.....		197/84	Apr. 14/84
amended.....		272/84	May 12/84
amended.....		493/84	Aug. 18/84
amended.....		571/84	Sept. 15/84
amended.....		166/85	Apr. 20/85
amended.....		418/85	Aug. 31/85
amended.....		433/85	Sept. 14/85
amended.....		488/85	Oct. 19/85
amended.....		508/85	Oct. 26/85
amended.....		453/86	Aug. 16/86
amended.....		481/86	Aug. 30/86
amended.....		499/86	Sept. 13/86
amended.....		454/87	Aug. 15/87
amended.....		60/88	Feb. 13/88
amended.....		120/88	Mar. 19/88
Levies - Milk.....		484/81	Aug. 1/81
Marketing Boards.....	624		
Marketing of Milk to Fluid Milk Processors....		541/81	Sept. 5/81
amended.....		593/81	Sept. 19/81
amended.....		649/81	Oct. 17/81
amended.....		723/81	Nov. 14/81
amended.....		876/81	Jan. 16/82
amended.....		46/82	Feb. 20/82
amended.....		523/82	Aug. 14/82
amended.....		558/82	Aug. 28/82
amended.....		591/82	Sept. 18/82
amended.....		679/82	Oct. 23/82
amended.....		724/82	Nov. 13/82
amended.....		856/82	Jan. 15/83
amended.....		79/83	Feb. 19/83
amended.....		198/83	Apr. 16/83
amended.....		252/83	/83
amended.....		478/83	Aug. 13/83
amended.....		555/83	Sept. 17/83
amended.....		811/83	Jan. 14/84
amended.....		21/84	Jan. 28/84
amended.....		59/84	Feb. 18/84
amended.....		105/84	Mar. 3/84
amended.....		196/84	Apr. 14/84
amended.....		270/84	May 12/84
amended.....		271/84	May 12/84
amended.....		492/84	Aug. 18/84
amended.....		570/84	Sept. 15/84
amended.....		801/84	Jan. 5/85
amended.....		164/85	Apr. 20/85
amended.....		417/85	Aug. 31/85
amended.....		434/85	Sept. 14/85
amended.....		489/85	Oct. 19/85
amended.....		507/85	Oct. 26/85

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		452/86	Aug. 16/86
amended.....		482/86	Aug. 30/86
amended.....		500/86	Sept. 13/86
amended.....		455/87	Aug. 15/87
amended.....		59/88	Feb. 13/88
amended.....		121/88	Mar. 19/88
amended.....		253/88	May 14/88
Milk			
- Marketing.....	625		
amended.....		475/81	Aug. 1/81
amended.....		5/82	Jan. 23/82
- Marketing - Classes 3,4,4a,4b,4c,5, 5a and 6.....	626		
(revoked by 45/82)			
- Transportation.....	627		
(revoked by 442/81)			
- Transportation.....		442/81	July 11/81
amended.....		553/88	Sept. 24/88
Milk and Cheese			
- Plan.....	628		
amended.....		488/87	Sept. 12/87
amended.....		71/88	Feb. 20/88
Milk and Milk Products.....	629		
amended.....		595/81	Sept. 19/81
amended.....		746/81	Nov. 28/81
amended.....		145/82	Mar. 27/82
amended.....		291/82	May 15/82
amended.....		113/83	Mar. 19/83
amended.....		658/83	Oct. 29/83
amended.....		506/86	Sept. 13/86
(revoked by 250/87)			
Milk and Milk Products.....		250/87	May 30/87
amended.....		508/88	Aug. 27/88
Milk Producers			
- Licences.....	630		
amended.....		42/81	Feb. 14/81
(revoked by 45/82)			
Milk Producers, Licences, Quotas, Pools and Transportation.....		45/82	Feb. 20/82
amended.....		80/83	Feb. 19/83
amended.....		58/84	Feb. 18/84
amended.....		54/85	Feb. 16/85
amended.....		53/86	Feb. 15/86
amended.....		52/87	Feb. 14/87
Milk Products - Extension of Powers.....		80/81	Mar. 14/81
Reconstituted Milk			
-	631		

	R.R.O. 1980	O.Reg.	Date of Gazette
MINING ACT			
Assay Coupons.....	632		
Exploratory Licences and Leases for Oil and Natural Gas North of the Fifty-First Parallel of Latitude.....	633		
Exploratory Licences and Production Leases For Natural Gas in Lake Erie.....	634		
amended.....		34/82	Feb. 13/82
Forms.....	635		
Mining Divisions.....	636		
amended.....		222/85	June 1/85
(revoked by 83/87)			
Mining Divisions.....		83/87	Mar. 7/87
Refinery Licences.....	637		
Special Case Regulation under Section 190 of the Act.....		260/86	May 24/86
Surveys of Mining Claims.....	638		
MINING TAX ACT			
General.....	639		
amended.....		782/83	Dec. 31/83
amended.....		310/88	May 28/88
MINISTRY OF AGRICULTURE AND FOOD ACT			
Farm Tax Reduction Program.....		716/83	Nov. 26/83
revoked.....		538/86	Sept. 20/86
MINISTRY OF COLLEGES AND UNIVERSITIES ACT			
Colleges of Applied Arts and Technology - Boards of Governors and Council of Regents.....	640		
amended.....		201/82	Apr. 24/82
amended.....		196/87	Apr. 25/87
amended.....		390/88	July 9/88
- Colleges.....	641		
Graduate Scholarships.....	642		
amended.....		387/81	June 27/81
amended.....		577/82	Sept. 11/82
amended.....		725/83	Dec. 10/83
amended.....		430/84	July 14/84
amended.....		441/85	Sept. 21/85
amended.....		476/86	Aug. 30/86
amended.....		253/87	May 30/87

	R.R.O. 1980	O.Reg.	Date of Gazette
Ontario Special Bursary Program.....	643		
amended.....		108/87	Mar. 14/87
amended.....		105/88	Mar. 12/88
Ontario Student Loans.....	644		
amended.....		451/82	July 17/82
amended.....		29/84	Feb. 4/84
amended.....		107/87	Mar. 14/87
amended.....		106/88	Mar. 12/88
Ontario Student Loans.....	645		
Ontario Study Grant Plan.....	646		
amended.....		151/82	Apr. 3/82
amended.....		30/84	Feb. 4/84
amended.....		106/87	Mar. 14/87
amended.....		107/88	Mar. 12/88

MINISTRY OF COMMUNITY AND SOCIAL SERVICES ACT

Institutions under Control of Minister.....		26/84	Feb. 4/84
Institutions under Control of Minister.....		653/85	Dec. 28/85
Social Assistance Review Board.....	647		
amended.....		103/82	Mar. 6/82
amended.....		278/82	May 15/82
amended.....		709/83	Nov. 19/83

MINISTRY OF CONSUMER AND COMMERCIAL RELATIONS ACT

Fees.....	648		
-----------	-----	--	--

MINISTRY OF CORRECTIONAL SERVICES ACT

General.....	649		
amended.....		556/85	Nov. 16/85
amended.....		591/86	Oct. 18/86
Intermittent Sentences.....	650		

MINISTRY OF CULTURE AND RECREATION ACT

(See now Ministry of Tourism and Recreation Act, 1982)

MINISTRY OF THE ENVIRONMENT ACT

Assignment of Administration of Ontario Waste Management Corporation Act, 1981 to the Minister of the Environment.....		510/81	Aug. 15/81
Assignment of Administration of Consolidated Hearings Act, 1981 to the Minister of the Environment.....		511/81	Aug. 15/81

MINISTRY OF HEALTH ACT

Bursaries and Fellowships for Health Study....	654		
Chest Diseases Control Clinics.....	655		

	R.R.O. 1980	O.Reg.	Date of Gazette
Chiropody Bursaries.....		424/87	Aug. 8/87
Dental Bursaries.....		438/83	July 23/83
amended.....		165/88	Apr. 9/88
District Health Councils.....	656		
Grant to University of Toronto Faculty of Medicine - Fiscal Year Commencing April 1, 1987.....		73/87	Feb. 28/87
Grant to University of Toronto Faculty of Medicine - Fiscal Year Commencing April 1, 1987.....		74/87	Feb. 28/87
Grants - Special.....	657		
Grants - Health Resources.....	658		
amended.....		401/81	July 4/81
amended.....		61/87	Feb. 21/87
amended.....		242/87	May 23/87
amended.....		419/87	Aug. 8/87
amended.....		420/87	Aug. 8/87
Grants to Accredited Nursing Homes.....		462/86	Aug. 16/86
amended.....		408/87	July 25/87
amended.....		577/88	Oct. 1/88
Grants to University Faculties of Medicine.....		536/82	Aug. 21/82
amended.....		443/83	July 23/83
amended.....		494/84	Aug. 18/84
amended.....		429/85	Sept. 14/85
amended.....		350/86	June 28/86
amended.....		592/88	Oct. 8/88
Grants to University Faculties of Medicine and General Hospitals - Fiscal Year Commencing April 1, 1987.....		75/87	Feb. 28/87
Medical Bursaries.....		437/83	July 23/83
amended.....		164/88	Apr. 9/88
Occupational Therapy Bursaries.....		289/84	May 19/84
amended.....		421/87	Aug. 8/87
Physiotherapy Bursaries.....		488/82	Aug. 7/82
amended.....		769/82	Dec. 11/82
amended.....		211/84	Apr. 28/84
amended.....		423/87	Aug. 8/87
Special Grant.....	659		
Special Grant.....	660		
Special Grant.....		175/87	Apr. 18/87
Speech Pathology and Audiology Bursaries.....		440/83	July 23/83
amended.....		212/84	Apr. 28/84
amended.....		422/87	Aug. 8/87

	R.R.O. 1980	O.Reg.	Date of Gazette	
Standard Ward Accommodation.....	661			
amended.....		233/81	May	2/81
Transportation of Patients.....		596/85	Dec.	14/85
amended.....		188/87	Apr.	18/87
amended.....		511/87	Sept.	19/87
amended.....		620/87	Dec.	5/87

MINISTRY OF NATURAL RESOURCES ACT

Assignment of Powers and Duties of Minister -

Mining and Lands Commissioner to Hear and Determine the appeal of Margaret Lonsdale against The Otonabee Region Conservation Authority..... 24/81 Feb. 14/81

Mining and Lands Commissioner to Hear and Determine the appeal of Victor Debbert against The South Lake Simcoe Conservation Authority..... 25/81 Feb. 14/81

Mining and Lands Commissioner to Hear and Determine the appeal of:

Mr. Milton A. Chomyn against The South Lake Simcoe Conservation Authority;
Mr. A. Evans against The Lakehead Region Conservation Authority;
Mr. Guy E. Muschett against The Credit Valley Conservation Authority;
Mr. Roger Ross against The Metropolitan Toronto Region Conservation Authority..... 114/81 Mar. 14/81
amended..... 219/81 Apr. 25/81

Mining and Lands Commissioner to Hear and Determine the appeal of:

Edith and Rita Martin against The Rideau Valley Conservation Authority;
W. Takahashi against The Metropolitan Toronto and Region Conservation Authority..... 368/81 June 20/81

Mining and Lands Commissioner to Hear and Determine the appeal of:

Mr. E. Bauman against The Grand River Conservation Authority;
Edith and Rita Martin against The Rideau Valley Conservation Authority... 389/81 June 27/81

Mining and Lands Commissioner to Hear and Determine the appeal of:

B. Bisaro against The South Lake Simcoe Conservation Authority;
Frank Morriello against The South Lake Simcoe Conservation Authority;
Sugarbush Holdings Limited against The Grand River Conservation Authority..... 448/81 July 18/81

	R.R.O. 1980	O.Reg.	Date of Gazette
Mining and Lands Commissioner to Hear and Determine the appeal of: Michael Hosinec against The Credit Valley Conservation Authority; Leon G. Laroche against The Rideau Valley Conservation Authority.....		609/81	Sept. 26/81
Mining and Lands Commissioner to Hear and Determine the appeal of: Donald J. Rashotte against the Moira River Conservation Authority; Tadeusz Trynda against The Rideau Valley Conservation Authority; Amadale Company Limited against the South Lake Simcoe Conservation Authority; Reg Prince against the South Lake Simcoe Conservation Authority.....		622/81	Oct. 10/81
Mining and Lands Commissioner to Hear and Determine the appeal of: George W. Aregers against The Metropolitan Toronto and Region Conservation Authority.....		695/81	Nov. 7/81
Mining and Lands Commissioner to Hear and Determine the appeal of: Harold and Jacqueline Zavitz against the Upper Thames River Conservation Authority; Hans Snippe against The Rideau Valley Conservation Authority; Lionel Edwards against The Otonabee Region Conservation Authority.....		744/81	Nov. 28/81
Mining and Lands Commissioner to Hear and Determine the appeal of: Frank Moreano against The South Lake Simcoe Conservation Authority.....		4/82	Jan. 23/82
Mining and Lands Commissioner to Hear and Determine the appeal of: Polish Army Veterans Association against Metropolitan Toronto and Region Conservation Authority.....		128/82	Mar. 20/82
Mining and Lands Commissioner to Hear and Determine the appeal of: Steven Ruddy against The Halton Region Conservation Authority; Michele Recchia against The Halton Region Conservation Authority.....		129/82	Mar. 20/82
Mining and Lands Commissioner to Hear and Determine the appeal of: Graham Double against South Lake Simcoe Conservation Authority.....		204/82	Apr. 24/82
Mining and Lands Commissioner to Hear and Determine appeals under subsection 28(5) of the Conservation Authorities Act.....		364/82	June 12/82

	R.R.O. 1980	O.Reg.	Date of Gazette
MINISTRY OF TOURISM AND RECREATION ACT, 1982			
Grants for Non-Profit Camps.....	651		
amended.....		83/81	Mar. 14/81
amended.....		801/83	Jan. 7/84
Municipal Recreation Directors' Certificates and Arena Managers' Certificates.....	652		
revoked.....		634/84	Oct. 27/84
Programs of Recreation.....	653		
(revoked by 517/83)			
Recreation Programs.....		517/83	Aug. 27/83
amended.....		112/84	Mar. 10/84
MORTGAGE BROKERS ACT			
General.....	662		
amended.....		704/81	Nov. 7/81
amended.....		613/83	Oct. 15/83
amended.....		582/85	Nov. 23/85
amended.....		271/86	May 24/86
MORTMAIN AND CHARITABLE USES ACT (Act repealed by S.O. 1982, c.12, s.1)			
Licences and Fees.....	663		
(expired)			
MOTOR VEHICLE ACCIDENT CLAIMS ACT			
Designated Insurers.....		152/83	Apr. 2/83
(revoked by 72/84)			
Designated Insurers.....		72/84	Feb. 18/84
General.....	664		
MOTOR VEHICLE DEALERS ACT			
General.....	665		
amended.....		703/81	Nov. 7/81
amended.....		617/83	Oct. 15/83
amended.....		54/86	Feb. 15/86
amended.....		272/86	May 24/86
amended.....		718/88	Dec. 17/88
amended.....		749/88	Dec. 31/88
MOTOR VEHICLE FUEL TAX ACT (See now Fuel Tax Act, 1981)			
Forms.....	666		
amended.....		271/82	May 8/82

	R.R.O. 1980	O.Reg.	Date of Gazette	
General.....	667			
amended.....		181/81	Apr.	11/81
amended.....		847/81	Jan.	9/82
amended.....		39/82	Feb.	13/82
amended.....		248/82	May	1/82
Taxable Price and Tax Payable on Motor Vehicle Fuel and Fuel to Propel Railway Equipment.....		440/81	July	11/81
amended.....		630/81	Oct.	10/81
amended.....		871/81	Jan.	16/82
amended.....		186/82	Apr.	10/82
amended.....		448/82	July	17/82
MOTOR VEHICLE REPAIR ACT, 1988				
General.....		566/88	Oct.	1/88
MOTORIZED SNOW VEHICLES ACT				
Designations.....	668			
amended.....		111/82	Mar.	13/82
amended.....		91/84	Mar.	3/84
amended.....		84/85	Mar.	9/85
amended.....		585/85	Nov.	30/85
amended.....		472/86	Aug.	23/86
amended.....		159/88	Apr.	9/88
Extending Validity of Motorized Snow Vehicle Permits.....		379/83	July	9/83
General.....	669			
amended.....		454/83	July	30/83
amended.....		48/84	Feb.	18/84
amended.....		637/85	Dec.	21/85
amended.....		45/87	Feb.	14/87
amended.....		33/88	Feb.	6/88
Motorized Snow Vehicle Operators' Licences....	670			
MUNICIPAL ACT				
Designation(s) -				
Agricultural Research Stations.....	671			
Correctional Institutions.....	672			
Facilities under the Developmental Services Act.....	673			
Municipalities.....	674			
Provincial Education Institutions.....	675			
Provincial Mental Health Facilities and Public Hospitals.....	676			
amended.....		417/82	July	3/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Universities.....	677		
Equalization of Assessments Made Under Section 368b of the Municipal Act.....		434/87	Aug. 8/87
Pension Plan for Municipal Employees.....	678		
Revision and Certification of Assessment Commissioner's List.....	679		
Small Business Programs.....		686/86	Dec. 13/86
MUNICIPAL AFFAIRS ACT			
Municipal Auditors.....	680		
Tax Arrears and Tax Sale Procedures..... (revoked by 228/81)		6/81	Jan. 24/81
Tax Arrears and Tax Sale Procedures..... (revoked by 451/81)		228/81	Apr. 25/81
Tax Arrears and Tax Sale Procedures..... (revoked by 754/81)		451/81	July 18/81
Tax Arrears and Tax Sale Procedures..... (revoked by 158/82)		754/81	Nov. 28/81
Tax Arrears and Tax Sale Procedures..... (revoked by 416/82)		158/82	Apr. 3/82
Tax Arrears and Tax Sale Procedures..... (revoked by 25/83)		416/82	July 3/82
Tax Arrears and Tax Sale Procedures..... (revoked by 304/83)		25/83	Jan. 29/83
Tax Arrears and Tax Sale Procedures..... (revoked by 641/83)		304/83	June 4/83
Tax Arrears and Tax Sale Procedures..... (revoked by 13/84)		641/83	Oct. 29/83
Tax Arrears and Tax Sale Procedures.....		13/84	Jan. 28/84
MUNICIPAL BOUNDARY NEGOTIATIONS ACT, 1981			
Alexandria (Town of), Township of Kenyon, Township of Lochiel Boundary.....		239/86	May 17/86
Alliston (Town of), Township of Adjala Boundary.....		670/85	Jan. 4/86
Alliston (Town of), Township of Essa Boundary.....		557/88	Sept. 24/88
Almonte (Town of), Township of Ramsay		246/84	May 5/84

	R.R.O. 1980	O.Reg.	Date of Gazette
Arnprior (Town of), Township of McNab Boundary.....		716/87	Jan. 9/88
Athol (Township of), Township of Hallowell Boundary.....		417/88	July 16/88
Aylmer (Town of), Township of Malahide Boundary.....		757/86	Jan. 10/87
Beeton (Village of), Township of Tecumseth Boundary.....		815/83	Jan. 14/84
Belleville (City of), Township of Thurlow- County of Hastings Boundary.....		397/85	Aug. 17/85
Belmont (Village of), Township of Yarmouth Boundary.....		624/88	Oct. 22/88
Blenheim (Town of), Township of Harwich Boundary.....		49/87	Feb. 14/87
Brockville (City of), Township of Elizabethtown Boundary.....		429/86	Aug. 16/86
Chatham (City of), Dover Township Boundary.....		102/83	Mar. 5/83
Chatham (City of), Township of Chatham Boundary.....		581/86	Oct. 18/86
Chatham (City of), Township of Chatham Boundary.....		718/87	Jan. 9/88
Chatham (City of), Township of Dover Boundary.....		736/88	Dec. 31/88
Cobourg (Town of), Hamilton Township Boundary.....		692/82	Oct. 30/82
Cookstown (Village of), Township of East Boundary.....		738/84	Dec. 8/84
Cookstown (Village of), Township of Tecumseth Boundary.....		835/84	Jan. 19/85
Cookstown (Village of), Township of Tecumseth Boundary.....		152/87	Apr. 11/87
County of Essex, City of Windsor - Township of Sandwich South Boundary.....		615/87	Dec. 5/87
County of Oxford, Town of Tillsonburg, Township of South - West Oxford Boundary...		832/84	Jan. 19/85
Drayton (Village of), Township of Peel Boundary.....		393/88	July 9/88
Elora (Village of), Township of Nichol Boundary.....		554/83	Sept. 17/83

	R.R.O. 1980	O.Reg.	Date of Gazette
Erieau (Village of), Township of Harwich Boundary.....		559/88	Sept. 24/88
Fenelon Falls (Village of), Township of Fenelon Boundary.....		692/85	Jan. 11/86
Forest (Town of), Township of Warwick Boundary.....		756/86	Jan. 10/87
Glencoe (Village of), Township of Ekfrid Boundary.....		335/85	July 6/85
Glencoe (Village of), Township of Ekfrid- Township of Mosa Boundary.....		220/84	Apr. 28/84
Goderich (Town of), Township of Goderich Boundary.....		364/86	July 12/86
Guelph (City of), Township of Guelph Boundary.....		153/87	Apr. 11/87
Hamilton (City of), City of Stoney Creek Boundary.....		558/88	Sept. 24/88
Harriston (Town of), Township of Minto Boundary.....		480/86	Aug. 30/86
Harrow (Town of), Township of Colchester South Boundary.....		558/85	Nov. 16/85
Hensall (Village of), Township of Tuckersmith Boundary.....		739/84	Dec. 8/84
Hilton Beach (Village of), Township of Hilton Boundary.....		694/85	Jan. 11/86
Iroquois (Village of), Township of Matilda Boundary.....		683/83	Nov. 12/83
Kingston (City of), Township of Kingston Boundary.....		756/88	Jan. 7/89
Lancaster (Village of), Township of Lancaster Boundary.....		813/83	Jan. 14/84
Leamington (Town of), Township of Mersea Boundary.....		369/84	June 23/84
Little Current (Town of), Township of Howland Boundary.....		394/84	July 7/84
Merrickville (Village of), Township of Montague, Township of Wolford Boundary.....		530/84	Sept. 1/84
Mississauga (City of), City of Brampton Boundary.....		336/85	July 6/85
Neebing (Municipality of), City of Thunder Bay Boundary.....		700/86	Dec. 20/86

	R.R.O. 1980	O.Reg.	Date of Gazette
Owen Sound (City of), Township of Sydenham Boundary.....		331/87	June 27/87
Palmerston (Town of), Township of Minto Boundary.....		629/85	Dec. 21/85
Palmerston (Town of), Township of Wallace Boundary.....		560/88	Sept. 24/88
Paris (Town of), Township of Brantford Boundary.....		626/88	Oct. 22/88
Penetanguishene (Town of) Township of Tiny Boundary.....		376/87	July 11/87
Petrolia (Town of), Township of Enniskillen Boundary.....		553/83	Sept. 17/83
Picton (Town of), Township of Hallowell Boundary.....		325/84	June 9/84
Picton (Town of), Township of Hallowell Boundary.....		667/86	Dec. 6/86
Port Stanley (Village of), Township of Southwold Boundary.....		625/88	Oct. 22/88
Regional Municipality of Ottawa-Carleton, City of Ottawa - City of Nepean Boundary.....		834/84	Jan. 19/85
Ridgetown (Town of), Township of Howard Boundary.....		601/83	Oct. 15/83
Ridgetown (Town of), Township of Howard Boundary.....		755/86	Jan. 10/87
Ridgetown (Town of), Township of Howard Boundary.....		605/87	Nov. 28/87
Rockland (Town of), Township of Clarence Boundary.....		814/83	Jan. 14/84
Shallow Lake (Village of), Township of Keppel Boundary.....		833/84	Jan. 19/85
Shelburne (Town of), Township of Amaranth Boundary.....		211/86	May 3/86
South Plantagenet (Township of), Village of St. Isidore de Prescott.....		582/86	Oct. 18/86
Sydenham (Township of), City of Owen Sound Boundary.....		671/85	Jan. 4/86
Tilbury (Town of), Township of Tilbury North Boundary.....		831/84	Jan. 19/85
Tilbury (Town of), Township of Tilbury North Boundary.....		717/87	Jan. 9/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Tilbury (Town of), Township of Tilbury North, Township of Tilbury East Boundary.....		326/84	June 9/84
Trenton (City of), Township of Sidney - County of Hastings Boundary.....		630/85	Dec. 21/85
Tweed (Village of), Township of Hungerford Boundary.....		761/84	Dec. 15/84
Walkerton (Town of), Township of Brant Boundary.....		482/85	Oct. 12/85
Watford (Village of), Township of Warwick Boundary.....		735/88	Dec. 31/88
Welland (City of), Town of Pelham Boundary.....		693/85	Jan. 11/86
Wheatley (Village of), Township of Romney Boundary.....		668/85	Jan. 4/86
Winchester (Village of), Township of Winchester Boundary.....		602/83	Oct. 15/83
Woodstock (City of), Township of Blandford-Blenheim Boundary.....		50/87	Feb. 14/87

MUNICIPAL ELECTIONS ACT

Forms.....	681		
amended.....		475/82	July 24/82
amended.....		409/88	July 16/88
amended.....		539/88	Sept. 10/88
amended.....		541/88	Sept. 10/88
amended.....		591/88	Oct. 8/88
amended.....		681/88	Nov. 19/88
amended.....		712/88	Dec. 17/88
Use of Central Vote Tabulators.....		675/88	Nov. 19/88
Use of Vote Tabulators.....		562/87	Oct. 24/87
amended.....		680/88	Nov. 19/88
Use of Voting Recorders.....	682		
amended.....		555/82	Aug. 28/82
amended.....		561/87	Oct. 24/87
amended.....		679/88	Nov. 19/88

MUNICIPAL EXTRA-TERRITORIAL TAX ACT, 1988

Assessment Equalization Factor.....	637/88	Nov. 5/88
General.....	623/88	Oct. 22/88

MUNICIPAL TAX SALES ACT, 1984

Forms.....	830/84	Jan. 19/85
(revoked by 444/85)		

	R.R.O. 1980	O.Reg.	Date of Gazette	
Municipal Tax Sales Rules.....		444/85	Sept. 21/85	(B)
amended.....		233/86	May 17/86	
MUNICIPALITY OF METROPOLITAN TORONTO ACT				
Order - Borough of Etobicoke.....		394/83	July 9/83	
Order - Borough of Scarborough.....		395/83	July 9/83	
Order - Borough of York.....		396/83	July 9/83	
Ward Boundaries.....		188/88	Apr. 23/88	
amended.....		513/88	Sept. 3/88	
amended.....		603/88	Oct. 15/88	

N

NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT

Designation of Area of Development Control....	683			
amended.....		493/81	Aug. 8/81	
amended.....		799/81	Dec. 12/81	
amended.....		874/81	Jan. 16/82	
amended.....		740/82	Nov. 20/82	
amended.....		790/82	Dec. 18/82	
amended.....		6/83	Jan. 22/83	
amended.....		8/83	Jan. 22/83	
amended.....		84/83	Feb. 19/83	
amended.....		176/83	Apr. 16/83	
amended.....		177/83	Apr. 16/83	
amended.....		665/83	Oct. 29/83	
amended.....		666/83	Oct. 29/83	
amended.....		667/83	Oct. 29/83	
amended.....		668/83	Oct. 29/83	
amended.....		669/83	Oct. 29/83	
amended.....		233/84	Apr. 28/84	
amended.....		247/84	May 12/84	
amended.....		343/84	June 16/84	
amended.....		434/84	July 21/84	
amended.....		106/85	Mar. 23/85	
amended.....		365/85	July 13/85	
amended.....		369/85	July 20/85	
amended.....		588/85	Dec. 7/85	
amended.....		289/86	May 31/86	
amended.....		343/86	June 28/86	
amended.....		563/86	Oct. 11/86	
amended.....		573/86	Oct. 11/86	
amended.....		750/86	Jan. 10/87	
amended.....		182/87	Apr. 18/87	
amended.....		230/87	May 16/87	
amended.....		558/87	Oct. 17/87	
amended.....		560/87	Oct. 17/87	
amended.....		610/87	Dec. 5/87	
amended.....		630/87	Dec. 12/87	
amended.....		645/87	Dec. 19/87	

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		646/87	Dec. 19/87
amended.....		1/88	Jan. 23/88
Designation of Planning Area.....	684		
amended.....		9/81	Jan. 31/81
amended.....		849/81	Jan. 9/82
Development Within the Development Control Area.....	685		
amended.....		836/81	Jan. 2/82
amended.....		181/82	Apr. 10/82
amended.....		694/82	Nov. 6/82
amended.....		729/84	Dec. 1/84
amended.....		469/85	Oct. 5/85
amended.....		98/86	Mar. 15/86
amended.....		290/86	May 31/86
amended.....		716/86	Dec. 27/86
NIAGARA PARKS ACT			
General.....	686		
amended.....		390/81	June 27/81
amended.....		103/84	Mar. 3/84
amended.....		68/86	Mar. 1/86
amended.....		183/86	Apr. 19/86
NON-RESIDENT AGRICULTURAL LAND INTERESTS REGISTRATION ACT			
General.....	687		
amended.....		753/83	Dec. 17/83
NORTH PICKERING DEVELOPMENT CORPORATION ACT			
North Pickering Planning Area.....	688		
NOTARIES ACT			
Fees.....	689		
amended.....		424/81	July 11/81
amended.....		367/84	June 23/84
repealed by R.R.O. 1/80			
Fees.....		613/85	Dec. 14/85
NURSING HOMES ACT			
General.....	690		
amended.....		39/81	Feb. 14/81
amended.....		299/81	May 23/81
amended.....		489/81	Aug. 8/81
amended.....		668/81	Oct. 24/81
amended.....		686/81	Oct. 31/81
amended.....		793/81	Dec. 12/81
amended.....		54/82	Feb. 20/82
amended.....		234/82	May 1/82
amended.....		296/82	May 22/82

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		530/82	Aug. 21/82
amended.....		608/82	Sept. 25/82
amended.....		734/82	Nov. 20/82
amended.....		78/83	Feb. 19/83
amended.....		258/83	May 21/83
amended.....		459/83	Aug. 6/83
amended.....		550/83	Sept. 10/83
amended.....		703/83	Nov. 19/83
amended.....		790/83	Jan. 7/84
amended.....		61/84	Feb. 18/84
amended.....		287/84	May 19/84
amended.....		481/84	Aug. 18/84
amended.....		564/84	Sept. 15/84
amended.....		718/84	Nov. 24/84
amended.....		21/85	Feb. 9/85
amended.....		205/85	May 25/85
amended.....		407/85	Aug. 24/85
amended.....		564/85	Nov. 23/85
amended.....		31/86	Feb. 8/86
amended.....		40/86	Feb. 15/86
amended.....		240/86	May 17/86
amended.....		439/86	Aug. 16/86
amended.....		644/86	Nov. 15/86
amended.....		26/87	Feb. 7/87
amended.....		214/87	May 9/87
amended.....		299/87	June 20/87
amended.....		358/87	July 4/87
amended.....		456/87	Aug. 15/87
amended.....		597/87	Nov. 21/87
amended.....		633/87	Dec. 12/87
amended.....		44/88	Feb. 13/88
amended.....		266/88	May 14/88
amended.....		437/88	July 23/88
amended.....		492/88	Aug. 20/88
amended.....		578/88	Oct. 1/88
amended.....		653/88	Nov. 12/88

0

OCCUPATIONAL HEALTH AND SAFETY ACT

Amending Certain Regulations.....		23/87	Feb. 7/87
Construction Projects.....	691		
amended.....		156/84	Mar. 24/84
amended.....		635/86	Nov. 15/86
amended.....		528/88	Sept. 3/88
Control of Exposure to Biological or Chemical Agents.....		654/86	Nov. 22/86
amended.....		707/86	Dec. 20/86
amended.....		339/87	June 27/87
Critical Injury - Defined.....		714/82	Nov. 13/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Designated Substance -			
Acrylonitrile.....		733/84	Dec. 1/84
amended.....		23/87	Feb. 7/87
Arsenic.....		176/86	Apr. 12/86
amended.....		23/87	Feb. 7/87
Asbestos.....		570/82	Sept. 4/82
amended.....		655/85	Jan. 4/86
amended.....		23/87	Feb. 7/87
Asbestos on Construction Projects and in Buildings and Repair Operations.....		654/85	Jan. 4/86
amended.....		529/88	Sept. 3/88
Benzene.....		732/84	Dec. 1/84
amended.....		23/87	Feb. 7/87
Coke Oven Emissions.....		517/82	Aug. 14/82
amended.....		23/87	Feb. 7/87
Ethylene Oxide.....		146/87	Apr. 11/87
Isocyanates.....		455/83	July 30/83
amended.....		23/87	Feb. 7/87
Lead.....		536/81	Aug. 29/81
amended.....		23/87	Feb. 7/87
Mercury.....		141/82	Mar. 27/82
amended.....		23/87	Feb. 7/87
Silica.....		769/83	Dec. 24/83
amended.....		23/87	Feb. 7/87
Vinyl Chloride.....		516/82	Aug. 14/82
amended.....		23/87	Feb. 7/87
Diving Operations.....		634/86	Nov. 15/86
Fire Fighters - Protective Equipment.....		125/83	Mar. 26/83
Hazardous Materials Inventories.....		643/88	Nov. 5/88
Industrial Establishments.....	692		
amended.....		654/86	Nov. 22/86
amended.....		525/88	Sept. 3/88
Inventory of Agents or Combinations of Agents for the Purpose of Section 21 of the Act.....	693		
Mines and Mining Plants.....	694		
amended.....		626/82	Oct. 9/82
amended.....		226/83	Apr. 30/83
amended.....		569/83	Sept. 24/83
amended.....		769/83	Dec. 24/83
amended.....		190/84	Apr. 14/84
amended.....		306/85	June 22/85
amended.....		365/86	July 12/86

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		450/86	Aug. 16/86
amended.....		569/86	Oct. 11/86
amended.....		654/86	Nov. 22/86
amended.....		258/87	May 30/87
amended.....		526/88	Sept. 3/88
Oil and Gas - Offshore.....		633/86	Nov. 15/86
Roll-Over Protective Structures.....		524/88	Sept. 3/88
Teachers.....		191/84	Apr. 14/84
University Academics and Teaching Assistants.....		307/84	May 26/84
Window Cleaning.....		527/88	Sept. 3/88
Workplace Hazardous Materials Information System.....		644/88	Nov. 5/88
X-Ray Safety.....		632/86	Nov. 15/86
X-Ray Safety, Registration and Plan Review..... (revoked by 632/86)		263/84	May 12/84
OFFICIAL NOTICES PUBLICATION ACT			
Rates.....	695		
amended.....		97/81	Mar. 14/81
amended.....		190/82	Apr. 10/82
(revoked by 149/83)			
Rates.....		149/83	Apr. 2/83
amended.....		206/84	Apr. 28/84
(revoked by 167/85)			
Rates.....		167/85	Apr. 20/85
(revoked by 219/86)			
Rates.....		219/86	May 10/86
(revoked by 136/87)			
Rates.....		136/87	Apr. 4/87
amended.....		182/88	Apr. 16/88
OFF-ROAD VEHICLES ACT, 1983			
General.....		47/84	Feb. 18/84
amended.....		426/84	July 14/84
OLEOMARGARINE ACT			
General.....	696		
amended.....		295/84	May 26/84
OMBUDSMAN ACT			
General Rules.....	697		

	R.R.O. 1980	O.Reg.	Date of Gazette	
ONTARIO AGRICULTURAL MUSEUM ACT				
Fees.....	698			
amended.....		322/81	May	30/81
General.....	699			
ONTARIO AUTOMOBILE INSURANCE BOARD ACT, 1988				
Classification System.....		406/88	July	16/88
Increase in the Capped Rate for Automobile Insurance..... (revoked by 405/88)		166/88	April	9/88
Increase in the Capped Rates for Automobile Insurance.....	.	405/88	July	16/88
ONTARIO DRUG BENEFIT ACT, 1986				
General.....	689/86	Dec.	13/86	
amended.....	738/86	Jan.	3/87	
amended.....	747/86	Jan.	3/87	
amended.....	55/87	Feb.	21/87	
amended.....	56/87	Feb.	21/87	
amended.....	141/87	Apr.	4/87	
amended.....	185/87	Apr.	18/87	
amended.....	186/87	Apr.	18/87	
amended.....	270/87	June	6/87	
amended.....	271/87	June	6/87	
amended.....	352/87	July	4/87	
amended.....	354/87	July	4/87	
amended.....	356/87	July	4/87	
amended.....	373/87	July	11/87	
amended.....	513/87	Sept.	19/87	
amended.....	661/87	Dec.	19/87	
amended.....	9/88	Jan.	30/88	
amended.....	10/88	Jan.	30/88	
amended.....	255/88	May	14/88	
amended.....	256/88	May	14/88	
amended.....	258/88	May	14/88	
amended.....	259/88	May	14/88	
amended.....	261/88	May	14/88	
amended.....	263/88	May	14/88	
amended.....	395/88	July	9/88	
amended.....	396/88	July	9/88	
amended.....	397/88	July	9/88	
amended.....	676/88	Nov.	19/88	
amended.....	677/88	Nov.	19/88	
amended.....	741/88	Dec.	31/88	
amended.....	742/88	Dec.	31/88	
amended.....	744/88	Dec.	31/88	
ONTARIO ENERGY BOARD ACT				
General.....	700			
amended.....		330/81	June	6/81
amended.....		805/82	Dec.	25/82
amended.....		820/82	Jan.	1/83

	R.R.O. 1980	O.Reg.	Date of Gazette	
amended.....		816/84	Jan.	19/85
amended.....		97/87	Mar.	14/87
amended.....		598/87	Nov.	21/87
amended.....		670/87	Dec.	26/87
amended.....		254/88	May	14/88
amended.....		312/88	May	28/88
amended.....		313/88	May	28/88
amended.....		465/88	Aug.	6/88
Rules of Procedure.....	701			
Uniform System of Accounts for Gas Utilities Class A.....	702			
ONTARIO FOOD TERMINAL ACT				
Composition and Procedure of Board.....	703			
Conduct of Business.....	704			
Rental Fees for Delivering or Encouraging Produce.....	705			
revoked.....		198/85	May	18/85
ONTARIO GUARANTEED ANNUAL INCOME ACT				
Forms..... (revoked by 231/82)	706			
Forms.....		231/82	May	1/82
amended.....		432/83	July	23/83
General.....	707			
amended.....		412/81	July	4/81
amended.....		230/82	May	1/82
amended.....		333/83	June	18/83
amended.....		758/83	Dec.	17/83
Guaranteed Income Limit..... (revoked by 345/81)	708			
Guaranteed Income Limit..... (revoked by 432/81)		345/81	June	6/81
Guaranteed Income Limit..... (revoked by 681/81)		432/81	July	11/81
Guaranteed Income Limit..... (revoked by 865/81)		681/81	Oct.	31/81
Guaranteed Income Limit..... (revoked by 252/82)		865/81	Jan.	19/82
Guaranteed Income Limit..... (revoked by 480/82)		252/82	May	1/82
Guaranteed Income Limit..... (revoked by 687/82)		480/82	July	31/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Guaranteed Income Limit..... (revoked by 62/83)		687/82	Oct. 30/82
Guaranteed Income Limit..... (revoked by 465/83)		62/83	Feb. 12/83
Guaranteed Income Limit..... (revoked by 759/83)		465/83	Aug. 6/83
Guaranteed Income Limit..... (revoked by 40/84)		759/83	Dec. 17/83
Guaranteed Income Limit..... (revoked by 264/84)		40/84	Feb. 11/84
Guaranteed Income Limit..... (revoked by 529/84)		264/84	May 12/84
Guaranteed Income Limit..... (revoked by 712/84)		529/84	Sept. 1/84
Guaranteed Income Limit..... (revoked by 769/84)		712/84	Nov. 17/84
Guaranteed Income Limit..... (revoked by 118/85)		769/84	Dec. 22/84
Guaranteed Income Limit..... (revoked by 310/85)		118/85	Mar. 23/85
Guaranteed Income Limit..... (revoked by 411/85)		310/85	June 22/85
Guaranteed Income Limit..... (revoked by 543/85)		411/85	Aug. 31/85
Guaranteed Income Limit..... (revoked by 133/86)		543/85	Nov. 16/85
Guaranteed Income Limit..... (revoked by 285/86)		133/86	Apr. 5/86
Guaranteed Income Limit..... (revoked by 409/86)		285/86	May 31/86
Guaranteed Income Limit..... (revoked by 599/86)		409/86	Aug. 2/86
Guaranteed Income Limit..... (revoked by 46/87)		599/86	Oct. 25/86
Guaranteed Income Limit..... (revoked by 277/87)		46/87	Feb. 14/87
Guaranteed Income Limit..... (revoked by 413/87)		277/87	June 6/87
Guaranteed Income Limit..... (revoked by 588/87)		413/87	Aug. 1/87

	R.R.O. 1980	O.Reg.	Date of Gazette
Guaranteed Income Limit..... (revoked by 299/88)		588/87	Nov. 14/87
Guaranteed Income Limit..... (revoked by 360/88)		299/88	May 28/88
Guaranteed Income Limit..... (revoked by 537/88)		360/88	June 25/88
Guaranteed Income Limit..... (revoked by 670/88)		537/88	Sept. 10/88
Guaranteed Income Limit.....		670/88	Nov. 19/88

ONTARIO HERITAGE ACT

Archaeological Sites.....	709		
Historic Sites.....	710		
Grants and Loans.....	711		
Grants to Incorporated Historical Societies and Associations..... (revoked by 418/84)	712		
Grants to Incorporated Historical Societies and Associations.....		418/84	July 14/84
Grants for Museums..... revoked	713	689/81	Oct. 13/81
Grants for Museums.....		398/81	July 4/81
amended.....		729/81	Nov. 14/81
amended.....		224/83	Apr. 30/83
amended.....		417/84	July 14/84
Grants for Plaquing.....	714		
Licences..... (revoked by 212/82)	715		
Licences.....		212/82	Apr. 24/82

ONTARIO HIGHWAY TRANSPORT BOARD ACT

Rules of Procedure.....	716		
amended.....		120/82	Mar. 20/82
amended.....		546/82	Aug. 21/82
amended.....		170/86	Apr. 12/86
amended.....		436/86	Aug. 16/86

ONTARIO HUMAN RIGHTS CODE

(See now Human Rights Code, 1981
- S.O. 1981, c. 53)

Form of Complaint..... (expired)	717		
-------------------------------------	-----	--	--

	R.R.O. 1980	O.Reg.	Date of Gazette
ONTARIO INSTITUTE FOR STUDIES IN EDUCATION ACT			
General.....	718		
ONTARIO LOTTERY CORPORATION ACT			
General.....	719		
ONTARIO MINERAL EXPLORATION PROGRAM ACT			
General.....	720		
amended.....		82/81	Mar. 14/81
General.....	721		
ONTARIO MUNICIPAL BOARD ACT			
Fees..... (revoked by 330/86)		642/84	Oct. 27/84
Fees.....		330/86	June 28/86
amended.....		177/88	Apr. 16/88
amended.....		419/88	July 16/88
Procedure..... (revoked by 537/87)	722		
Rules of Procedure.....		537/87	Oct. 10/87
Tariff of Fees.....	723		
amended.....		623/81	Oct. 10/81
amended.....		330/82	June 5/82
amended.....		61/83	Feb. 12/83
(revoked by 642/84)			
ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT			
General.....	724		
amended.....		641/81	Oct. 17/81
amended.....		389/82	June 19/82
amended.....		70/83	Feb. 12/83
amended.....		359/83	July 2/83
amended.....		349/84	June 16/84
amended.....		250/85	June 8/85
amended.....		393/86	July 12/86
amended.....		92/87	Mar. 7/87
amended.....		343/87	July 4/87
amended.....		721/87	Jan. 9/88
amended.....		394/88	July 9/88
ONTARIO MUNICIPAL IMPROVEMENT CORPORATION ACT			
Procedure.....	725		
ONTARIO NEW HOME WARRANTIES PLAN ACT			
Administration of the Plan.....	726		
amended.....		142/81	Mar. 28/81
amended.....		289/82	May 15/82

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		120/83	Mar. 19/83
amended.....		78/84	Feb. 25/84
amended.....		677/84	Nov. 10/84
amended.....		219/87	May 9/87
amended.....		295/87	June 13/87
amended.....		308/88	May 28/88
Designation of Corporation.....	727		
amended.....		777/84	Dec. 22/84
Terms and Conditions of Registration of Builders and Vendors.....	728		
amended.....		362/87	July 4/87
Warranty..... (revoked by 308/88)		218/87	May 9/87
ONTARIO PENSIONERS PROPERTY TAX ASSISTANCE ACT			
Amount - Clause 2(2)(a) of the Act.....		363/87	July 4/87
Definition - "Rent Paid".....	729		
revoked		363/82	June 12/82
General..... (revoked by 776/81)	730		
General.....		776/81	Dec. 5/81
amended.....		688/82	Oct. 30/82
amended.....		757/83	Dec. 17/83
amended.....		713/84	Nov. 17/84
amended.....		286/86	May 31/86
General..... (revoked by 726/81)	731		
General..... (revoked by 635/82)		726/81	Nov. 14/81
General.....		635/82	Oct. 9/82
amended.....		393/83	July 9/83
amended..... (revoked by 695/83)		513/83	Aug. 27/83
General..... (revoked by 654/84)		695/83	Nov. 19/83
General.....		654/84	Nov. 3/84
amended.....		438/85	Sept. 21/85
ONTARIO PLACE CORPORATION ACT			
Fees.....	732		
amended.....		255/81	May 16/81
amended.....		784/81	Dec. 5/81
amended.....		726/82	Nov. 13/82
amended.....		287/83	May 28/83
amended.....		746/83	Dec. 17/83
amended.....		258/84	May 12/84

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		836/84	Jan. 19/85
amended.....		216/85	June 1/85
amended.....		338/85	July 6/85
amended.....		398/85	Aug. 17/85
amended.....		635/85	Dec. 21/85
amended.....		153/86	Apr. 12/86
amended.....		555/86	Oct. 4/86
amended.....		246/87	May 30/87
amended.....		170/88	Apr. 16/88
amended.....		354/88	June 25/88
ONTARIO PLANNING AND DEVELOPMENT ACT			
Amendment to Local Plan - Vaughan Planning Area.....		76/81	Mar. 7/81
ONTARIO TELEPHONE DEVELOPMENT CORPORATION ACT			
Composition and Procedures of Corporation....	733		
ONTARIO UNCONDITIONAL GRANTS ACT			
Determination of Apportionments, Levies and Requisitions, 1981.....		579/81	Sept. 12/81
amended.....		104/82	Mar. 6/82
Determination of Apportionments and Levies, 1982.....		648/82	Oct. 16/82
Determination of Apportionments and Levies, 1983.....		289/83	May 28/83
Determination of Apportionments and Levies, 1984.....		255/84	May 12/84
Determination of Apportionments and Levies, 1985.....		251/85	June 8/85
Determination of Apportionments and Levies, 1986.....		360/86	July 5/86
Determination of Apportionments and Levies, 1987.....		501/87	Sept. 12/87
amended.....		643/87	Dec. 19/87
Determination of Apportionments and Levies, 1988.....		582/88	Oct. 8/88
Determination of Apportionments and Levies, for District Boards, 1987.....		577/87	Nov. 7/87
General..... (revoked by 578/81)			
General.....		578/81	Sept. 12/81
amended.....		104/82	Mar. 6/82
amended..... (revoked by 565/82)		413/82	July 3/82

	R.R.O. 1980	O.Reg.	Date of Gazette
General..... (revoked by 246/83)		565/82	Sept. 4/82
General..... (revoked by 453/84)		246/83	May 14/83
General..... (revoked by 339/85)		453/84	July 28/84
General..... amended..... (revoked by 527/86)		339/85 568/85	July 6/85 Nov. 23/85
General..... (revoked by 14/88)		527/86	Sept. 20/86
General..... (revoked by 252/88)		14/88	Jan. 30/88
General.....		252/88	May 14/88
ONTARIO UNIVERSITIES CAPITAL AID CORPORATION ACT			
Designated Universities.....	735		
ONTARIO WATER RESOURCES ACT			
Honda Sewage Works.....		332/85	July 6/85
Municipal Sewage and Water and Roads Class Environmental Assessment Projects.....		207/87	May 2/87
Plumbing Code..... amended..... amended..... (revoked by 815/84)	736	567/81 58/83	Sept. 12/81 Feb. 5/83
Plumbing Code..... amended..... amended..... amended.....		815/84 675/85 588/88 734/88	Jan. 12/85 Jan. 4/86 Oct. 8/88 Dec. 31/88
Rate of Interest.....	737		
South Cayuga Sewage Works..... revoked.....	738	520/81	Aug. 22/81
St. Thomas Aquinas School Sewage Works.....		531/85	Nov. 9/85
Water Wells..... amended..... (revoked by 612/84)	739	160/82	Apr. 3/82
Wells..... amended..... amended.....		612/84 132/85 601/88	Oct. 13/84 Apr. 13/85 Oct. 15/88

R.R.O.
1980

O.Reg.

Date of
Gazette

ONTARIO YOUTH EMPLOYMENT ACT

General..... (expired)	183/81	Apr.	11/81
General..... (expired)	195/82	Apr.	17/82
General..... (expired)	163/83	Apr.	9/83
General..... (expired)	256/84	May	12/84
General..... (revoked by 231/86)	176/85	May	4/85
General..... (revoked by 502/87)	231/86	May	17/86
General..... (revoked by 464/88)	502/87	Sept.	12/87
General.....	464/88	Aug.	6/88

OPERATING ENGINEERS ACT

General.....	740		
amended.....	180/82	Apr.	10/82
amended.....	406/82	June	26/82
amended.....	639/83	Oct.	29/83
amended.....	745/83	Dec.	17/83
amended.....	283/84	May	19/84
amended.....	532/86	Sept.	20/86
amended.....	265/87	May	30/87
amended.....	85/88	Feb.	27/88

OPHTHALMIC DISPENSERS ACT

General.....	741		
amended.....	401/84	July	7/84
amended.....	334/87	June	27/87
amended.....	658/87	Dec.	19/87

OTTAWA-CARLETON FRENCH-LANGUAGE
SCHOOL BOARD ACT, 1988

Order Under Subsection 36(2).....	514/88	Sept.	3/88 (B)
Order Under Subsection 36(3).....	515/88	Sept.	3/88 (B)

	R.R.O. 1980	O.Reg.	Date of Gazette
P			
PAPERBACK AND PERIODICAL DISTRIBUTORS ACT			
General.....	742		
amended.....		611/83	Oct. 15/83
amended.....		273/86	May 24/86
PARKS ASSISTANCE ACT			
General.....	743		
PARKWAY BELT PLANNING AND DEVELOPMENT ACT			
<u>(An asterisk (*) denotes that the Regulation</u> <u>has been amended prior to January 1, 1981 but</u> <u>the amendments are not shown.)</u> <u>(- for amendments to the end of 1980</u> <u>- see Table of Regulations published in</u> <u>The Ontario Gazette dated March 14, 1981 or</u> <u>in the Statutes of Ontario, 1980.)</u>			
Land Use Regulations -			
County of Halton (now The Regional Municipality of Halton), City of Burlington.....			
amended.....	*482/73		
amended.....	55/81	Feb.	21/81
amended.....	87/81	Mar.	14/81
amended.....	145/81	Mar.	28/81
amended.....	147/81	Apr.	4/81
amended.....	275/81	May	16/81
amended.....	420/81	July	11/81
amended.....	468/81	July	25/81
amended.....	544/81	Sept.	5/81
amended.....	604/81	Sept.	19/81
amended.....	605/81	Sept.	19/81
amended.....	724/81	Nov.	14/81
amended.....	725/81	Nov.	14/81
amended.....	826/81	Dec.	26/81
amended.....	25/82	Feb.	13/82
amended.....	32/82	Feb.	13/82
amended.....	482/82	July	31/82
amended.....	566/82	Sept.	4/82
amended.....	757/82	Dec.	4/82
amended.....	818/82	Jan.	1/83
amended.....	201/83	Apr.	23/83
amended.....	202/83	Apr.	23/83
amended.....	318/83	June	11/83
amended.....	346/83	June	25/83
amended.....	578/83	Oct.	1/83
amended.....	767/83	Dec.	24/83
amended.....	106/84	Mar.	3/84
amended.....	159/84	Mar.	24/84
amended.....	304/84	May	26/84
amended.....	341/84	June	16/84
amended.....	457/84	Aug.	4/84

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....	504/84	Aug.	25/84
amended.....	539/84	Sept.	8/84
amended.....	561/84	Sept.	15/84
amended.....	53/85	Feb.	16/85
amended.....	173/85	Apr.	27/85
amended.....	199/85	May	25/85
amended.....	428/85	Sept.	14/85
amended.....	28/86	Feb.	8/86
amended.....	96/86	Mar.	8/86
amended.....	99/86	Mar.	15/86
amended.....	327/86	June	28/86
amended.....	328/86	June	28/86
amended.....	562/86	Oct.	11/86
amended.....	682/86	Dec.	13/86
amended.....	255/87	May	30/87
amended.....	344/87	July	4/87
amended.....	461/87	Aug.	22/87
amended.....	611/87	Dec.	5/87
amended.....	132/88	Mar.	26/88
amended.....	218/88	Apr.	30/88
amended.....	220/88	Apr.	30/88
amended.....	328/88	June	4/88
amended.....	376/88	July	2/88
amended.....	392/88	July	9/88
amended.....	480/88	Aug.	13/88
amended.....	660/88	Nov.	12/88
amended.....	720/88	Dec.	24/88
County of Halton (now The Regional Municipality of Halton), Town of Milton.....	*480/73		
revoked.....	261/86	May	24/86
County of Halton (now part of the regional municipalities of Halton and Peel), Town of Oakville (now part of the towns of Halton Hills, Milton, Oakville and the City of Mississauga).....	*481/73		
amended.....	15/81	Feb.	7/81
amended.....	146/81	Apr.	4/81
amended.....	184/81	Apr.	11/81
amended.....	192/81	Apr.	18/81
amended.....	258/81	May	16/81
amended.....	265/81	May	16/81
amended.....	317/81	May	30/81
amended.....	386/81	June	27/81
amended.....	419/81	July	11/81
amended.....	449/81	July	18/81
amended.....	598/81	Sept.	19/81
amended.....	709/81	Nov.	7/81
amended.....	362/82	June	12/82
amended.....	377/82	June	19/82
amended.....	505/82	Apr.	7/82
amended.....	704/82	Nov.	6/82
amended.....	705/82	Nov.	6/82
amended.....	706/82	Nov.	6/82
amended.....	707/82	Nov.	6/82
amended.....	817/82	Jan.	1/83
amended.....	88/83	Feb.	26/83

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....	116/83	Mar.	19/83
amended.....	136/83	Mar.	26/83
amended.....	356/83	July	2/83
amended.....	363/83	July	9/83
amended.....	444/83	July	23/83
amended.....	471/83	Aug.	13/83
amended.....	635/83	Oct.	15/83
amended.....	715/83	Nov.	26/83
amended.....	232/84	Apr.	28/84
amended.....	305/84	May	26/84
amended.....	306/84	May	26/84
amended.....	586/84	Sept.	29/84
amended.....	643/84	Oct.	27/84
amended.....	690/84	Nov.	17/84
amended.....	341/85	July	6/85
amended.....	461/85	Sept.	28/85
amended.....	615/85	Dec.	14/85
amended.....	15/86	Feb.	1/86
amended.....	27/86	Feb.	8/86
amended.....	199/86	Apr.	26/86
amended.....	356/86	July	5/86
amended.....	408/86	July	26/86
amended.....	377/88	July	2/88
amended.....	*659/88	Nov.	12/88
County of Peel (now The Regional Municipality of Peel), Town of Mississauga (now part of the cities of Brampton and Mississauga)			
	*479/73		
amended.....	60/81	Feb.	21/81
amended.....	198/81	Apr.	18/81
amended.....	240/81	May	9/81
amended.....	244/81	May	9/81
amended.....	245/81	May	9/81
amended.....	319/81	May	30/81
amended.....	329/81	June	6/81
amended.....	464/81	July	25/81
amended.....	537/81	Aug.	29/81
amended.....	715/82	Nov.	13/82
amended.....	119/83	Mar.	19/83
amended.....	203/83	Apr.	23/83
amended.....	370/84	June	30/84
amended.....	772/84	Dec.	22/84
amended.....	383/85	Aug.	10/85
amended.....	617/85	Dec.	14/85
amended.....	407/86	July	26/86
County of Peel (now The Regional Municipality of Peel), Township of Toronto Gore (now the City of Brampton).....			
	*476/73		
amended.....	763/81	Nov.	28/81
amended.....	33/82	Feb.	13/82
amended.....	726/83	Dec.	10/83
revoked.....	32/85	Feb.	9/85
County of Peel (now The Regional Municipality of Peel), Township of Chinguacousy (now the City of Brampton).....			
	*477/73		
amended.....	691/81	Nov.	7/81

	R.R.O. 1980	O.Reg.	Date of Gazette
County of Wentworth (now The Regional Municipality of Hamilton-Wentworth), Town of Dundas.....		*486/73	
amended.....	354/81	June	13/81
amended.....	1/82	Jan.	23/82
amended.....	693/82	Nov.	6/82
amended.....	26/83	Jan.	29/83
amended.....	728/83	Dec.	10/83
amended.....	432/84	July	21/84
amended.....	313/85	June	22/85
amended.....	187/86	Apr.	19/86
amended.....	171/87	Apr.	18/87
amended.....	247/87	May	30/87
amended.....	724/87	Jan.	16/88
amended.....	640/88	Nov.	5/88
County of Wentworth (now The Regional Municipality of Hamilton-Wentworth), Township of East Flamborough (now the Township of Flamborough).....		*483/73	
amended.....	90/83	Feb.	26/83
amended.....	439/83	July	23/83
amended.....	787/84	Dec.	29/84
amended.....	197/85	May	18/85
amended.....	375/88	July	2/88
County of Wentworth (now The Regional Municipality of Hamilton-Wentworth), Township of West Flamborough (now the Township of Flamborough).....		*484/73	
amended.....	483/82	July	31/82
amended.....	617/82	Oct.	2/82
amended.....	133/83	Mar.	26/83
amended.....	134/83	Mar.	26/83
amended.....	135/83	Mar.	26/83
amended.....	213/83	Apr.	30/83
amended.....	485/83	Aug.	20/83
amended.....	582/83	Oct.	1/83
amended.....	727/83	Dec.	10/83
amended.....	90/85	Mar.	9/85
amended.....	314/85	June	22/85
amended.....	528/85	Nov.	9/85
amended.....	12/86	Feb.	1/86
amended.....	228/86	May	17/86
amended.....	406/86	July	26/86
County of Wentworth (now The Regional Municipality of Hamilton-Wentworth), Village of Waterdown (now the Township of Flamborough).....		*485/73	
amended.....	652/86	Nov.	22/86
Municipality of Metropolitan Toronto, Borough of Etobicoke (now the City of Etobicoke).....		*476/73	
amended.....	506/82	Aug.	7/82
amended.....	95/83	Mar.	5/83
amended.....	328/83	June	18/83
amended.....	523/83	Sept.	3/83

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		655/84	Nov. 3/84
amended.....		227/86	May 17/86
amended.....		697/86	Dec. 20/86
Regional Municipality of York,			
Town of Markham.....	*473/73		
amended.....	282/81	May	23/81
amended.....	443/81	July	11/81
amended.....	582/81	Sept.	12/81
amended.....	432/82	July	3/82
amended.....	437/82	July	10/82
amended.....	470/82	July	24/82
amended.....	513/82	Aug.	14/82
amended.....	593/82	Sept.	18/82
amended.....	317/83	June	11/83
amended.....	489/83	Aug.	20/83
amended.....	491/83	Aug.	20/83
amended.....	634/83	Oct.	10/83
amended.....	718/83	Dec.	3/83
amended.....	770/83	Dec.	24/83
amended.....	11/84	Jan.	28/84
amended.....	171/84	Apr.	7/84
amended.....	689/84	Nov.	17/84
amended.....	442/85	Sept.	21/85
amended.....	498/85	Oct.	26/85
amended.....	533/85	Nov.	9/85
amended.....	586/85	Nov.	30/85
amended.....	639/85	Dec.	21/85
amended.....	30/86	Feb.	8/86
amended.....	36/86	Feb.	15/86
amended.....	218/86	May	10/86
amended.....	355/86	July	5/86
amended.....	361/86	July	5/86
amended.....	401/86	July	19/86
amended.....	465/86	Aug.	23/86
amended.....	534/86	Sept.	20/86
amended.....	601/86	Oct.	25/86
amended.....	625/86	Nov.	15/86
amended.....	137/87	Apr.	4/87
amended.....	201/87	Apr.	25/87
amended.....	535/87	Oct.	3/87
amended.....	600/87	Nov.	21/87
amended.....	282/88	May	21/88
amended.....	641/88	Nov.	5/88
Regional Municipality of York,			
Town of Richmond Hill.....	*474/73		
amended.....	508/82	Aug.	7/82
amended.....	472/84	Aug.	11/84
amended.....	521/84	Sept.	1/84
amended.....	472/85	Oct.	5/85
Regional Municipality of York,			
Town of Vaughan.....	*475/73		
amended.....	79/81	Mar.	7/81
amended.....	49/82	Feb.	20/82
amended.....	189/82	Apr.	10/82
amended.....	376/82	June	19/82
amended.....	387/82	June	19/82

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		433/82	July 10/82
amended.....		434/82	July 10/82
amended.....		469/82	July 24/82
amended.....		507/82	Aug. 7/82
amended.....		620/82	Oct. 9/82
amended.....		104/83	Mar. 12/83
amended.....		413/83	July 16/83
amended.....		546/83	Sept. 10/83
revoked.....		315/84	June 2/84
Parkway Belt Planning Area.....	744		
PARTNERSHIPS REGISTRATION ACT			
General.....	745		
amended.....		204/84	Apr. 14/84
amended.....		165/87	Apr. 11/87
amended.....		458/88	July 30/88
PENSION BENEFITS ACT			
Exemption..... (revoked by 723/87)		166/81	Apr. 4/81
Exemption..... (revoked by 323/85)		315/82	May 22/82
Exemption..... (revoked by 723/87)		323/85	July 6/85
General.....	746		
amended.....		101/81	Mar. 14/81
amended.....		262/82	May 8/82
amended.....		500/83	Aug. 27/83
amended.....		73/84	Feb. 18/84
amended.....		620/84	Oct. 20/84
amended.....		680/85	Jan. 4/86
amended.....		353/86	June 28/86
amended.....		692/86	Dec. 13/86
amended.....		31/87	Feb. 14/87
amended.....		238/87	May 23/87
amended.....		486/87	Sept. 5/87
amended..... (revoked by 723/87)		707/87	Jan. 2/88
To Revoke Certain Regulations.....		723/87	Jan. 9/88
PENSION BENEFITS ACT, 1987			
General.....		708/87	Jan. 2/88
amended.....		100/88	Mar. 5/88
amended.....		101/88	Mar. 5/88
amended.....		112/88	Mar. 12/88
amended.....		422/88	July 16/88
amended.....		423/88	July 16/88
amended.....		424/88	July 16/88
amended.....		737/88	Dec. 31/88

	R.R.O. 1980	O.Reg.	Date of Gazette
PERSONAL PROPERTY SECURITY ACT			
Branch Offices.....	747		
amended.....		616/84	Oct. 20/84
Fees Concerning Security Documents.....	748		
amended.....		137/84	Mar. 17/84
amended.....		249/86	May 17/86
amended.....		680/87	Dec. 26/87
Personal Property Security Insurance.....	749		
amended.....		838/81	Jan. 2/82
amended.....		264/87	May 30/87
Personal Property Security Assurance Fund.....	750		
PESTICIDES ACT			
Amendment.....	751		
amended.....		252/81	May 16/81
amended.....		616/81	Oct. 3/81
amended.....		756/81	Nov. 28/81
amended.....		161/82	Apr. 3/82
amended.....		70/84	Feb. 18/84
amended.....		731/84	Dec. 1/84
amended.....		269/85	June 15/85
amended.....		545/85	Nov. 16/85
amended.....		562/85	Nov. 23/85
amended.....		147/86	Apr. 5/86
amended.....		173/86	Apr. 12/86
amended.....		223/86	May 10/86
amended.....		238/86	May 17/86
amended.....		25/88	Feb. 6/88
amended.....		78/88	Feb. 27/88
amended.....		602/88	Oct. 15/88
amended.....		714/88	Dec. 17/88
amended.....		717/88	Dec. 17/88
PETROLEUM RESOURCES ACT			
Exploration, Drilling and Production.....	752		
amended.....		35/82	Feb. 13/82
Protection of Designated Gas Storage Areas....		666/85	Jan. 4/86
Spacing Units -			
Arthur Pool.....	753		
Blandford 3-7-VIII Pool.....		103/88	Mar. 5/88
Camden 6-10-IX Gore Pool.....		16/88	Jan. 30/88
Clearville.....	754		
Colchester South.....	755		
Courtright Pool.....	756		

	R.R.O. 1980	O.Reg.	Date of Gazette
Coveny Pool..... (revoked by 52/88)	757		
Dawn 2-30-XIV Pool.....		248/88	May 14/88
Dawn 4-28-111 Pool..... revoked	758	53/88	Feb. 13/88
Dawn and Sombra (Townships of).....	759		
Dover 1-II-V-E Pool.....		318/85	June 29/85
Dover 7-5-V Pool..... (revoked by 104/88)		622/83	Oct. 15/83
Dover 7-5-V E Pool.....		104/88	Mar. 5/88
Duncannon Pool.....	760		
Egremont (Township of).....	761		
Ekfrid Pool.....	762		
Enniskillen 6-15-II..... amended.....		485/86 577/86	Aug. 30/86 Oct. 11/86
Enniskillen 7-30-IX Pool.....		283/86	May 31/86
General Dawn 5-27-111 Pool.....	763		
Gosfield South (Township of).....	764		
Gosfield South 8-7-V Pool.....		17/88	Jan. 30/88
Hemlock Pool.....	765		
Innerkip East Pool.....	766		
Innerkip Pool.....	767		
Ladysmith Pool.....	768		
Maidstone 7-17-V Pool.....		18/88	Jan. 30/88
Malden (Township of).....	769		
Mersea 1-15-B Pool..... (revoked by 1/85)		584/84	Sept. 29/84
Mersea 1-15-B Pool..... (revoked by 249/88)		1/85	Jan. 26/85
Mersea 2-14-B Pool.....		249/88	May 14/88
Mersea 6-16-B Pool.....		19/88	Jan. 30/88
Mersea 6-14-VII Pool.....		20/88	Jan. 30/88
Mersea 6-16-VIII Pool.....		493/88	Aug. 20/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Moore (Township of).....	770		
Osborne Pool.....	771		
Otter Creek East Pool.....	772		
Otter Creek Pool.....	773		
Oxley Field.....	774		
Plympton 5-19-VI Pool.....	775		
Revallee, Rochester 1-20-V (EBR) Pool.....		14/86	Feb. 1/86
Romney 3-8-II Pool.....		306/88	May 28/88
Romney 6-13-III Pool.....		305/88	May 28/88
Ruscom River Pool.....	776		
St. Patrick's Pool.....	777		
Sarnia 5-3-II Pool.....		511/88	Aug. 27/88
Sombra 3-26-VI Pool.....		77/87	Feb. 28/87
Terminus North Pool.....	778		
Tilbury East 1-24-IX Pool.....		21/88	Jan. 30/88
Townsend Pool.....	779		
Venison Creek Pool.....	780		
Verschoyle West Pool.....	781		
Wilsonville Pool.....	782		
Wilsonville South Pool.....	783		

PITS AND QUARRIES CONTROL ACT

General.....	784		
amended.....		157/81	Apr. 4/81
amended.....		323/81	May 30/81
amended.....		424/84	July 14/84
amended.....		29/86	Feb. 8/86
amended.....		155/86	Apr. 12/86

PLANNING ACT(See now Planning Act, 1983)

Delegation of Authority of Minister under Section 53 of the Planning Act - Condominium Plans.....	324/81	May	30/81
(revoked by 475/83)			

	R.R.O. 1980	O.Reg.	Date of Gazette
- Condominium Plans..... (revoked by 475/83)		147/83	Apr. 2/83
- Subdivision Plans..... (revoked by 476/83)		78/82	Mar. 6/82

NOTE: For Delegation of Authority Withdrawals
see "Withdrawals of Delegation of
Authority of Minister under....."

Notice Requirements -

Restricted Area By-Laws..... 785
(revoked by 404/83)

Order of the Minister under Section 30
of the Planning Act

Town of Fort Erie in The Regional Municipality of Niagara, Lot 15 and parts of lots 14 and 16, Plan Number 32.....		2/81	Jan. 24/81
City of London in the County of Middlesex, Lot 35, Plan Number 630.....		3/81	Jan. 24/81
Township of Aldborough in the County of Elgin, Lot 7, Concession XII, Plan Number D-320.....		8/81	Jan. 31/81
Township of Essa in the County of Simcoe, Lot 19, Concession IV, Plan Number 51R-478.....		12/81	Feb. 7/81
Town of Bracebridge in the District Municipality of Muskoka, Lot 20 in Concession IX, Plan Number BR-1624.....		17/81	Feb. 7/81
Town of Fort Erie in The Regional Municipality of Niagara, Lot 40, Plan Number 1088 and Lot 57, Plan Number 200.....		34/81	Feb. 14/81
Town of Blind River in the Territorial District of Algoma, Lot 376, Plan Number 487.....		54/81	Feb. 21/81
Town of Goderich in the County of Huron, lots 865 and 866, lots 888 and 889, Plan Number 7.....		74/81	Mar. 7/81
City of Hamilton in The Regional Municipality of Hamilton-Wentworth, lots 6, 7, 8 and part of Lot 9 Plan Number 62R-423.....		86/81	Mar. 14/81
Township of Bedford in the County of Frontenac, Lot 31, Concession VII, Plan Number R-95		124/81	Mar. 21/81

	R.R.O. 1980	O.Reg.	Date of Gazette
Township of Paipoonge in the Territorial District of Thunder Bay, Lot 25, Concession III, Parcel 2094.....		189/81	Apr. 11/81
Township of Snowdon in the Provisional County of Haliburton, Plan Number 19R-538.....		211/81	Apr. 25/81
Town of Newcastle, formerly in the Township of Darlington, in the County of Durham, Lot 23, Concession III.....		234/81	May 2/81
Township of Dunwich in the County of Elgin, Lot 8, Concession VII.....		260/81	May 16/81
Township of Rama in the County of Simcoe, formerly in the County of Simcoe, Lot 18, Concession F..... (revoked by 486/81)		261/81	May 16/81
Township of Rama in the County of Simcoe, Lot 19, Concession F.....		262/81	May 16/81
Town of Wasaga Beach formerly in the Village of Wasaga Beach, in the County of Simcoe, Lot 2, Concession XV, Plan Number 815.....		263/81	May 16/81
Town of Wasaga Beach in the County of Simcoe, Plan Number 518942 and Plan Number 815.....		264/81	May 16/81
Township of Verulam in the County of Victoria, Lot 11, Concession IV, Plan Number RD60.....		351/81	June 13/81
Borough of York in The Municipality of Metropolitan Toronto, Parts of Lots 314 and 315, Plan Number 1813.....		356/81	June 13/81
Borough of York in The Municipality of Metropolitan Toronto, Parts of Lots 17 and 18, Plan Number 847.....		357/81	June 13/81
Township of Essa in the County of Simcoe, Part of the East Half of Lot 19, Concession IV, Plan Number 51R-478..... amended.....		391/81 530/86	June 27/81 Sept. 20/86
Township of Wainfleet in The Regional Municipality of Niagara, formerly in the County of Welland, Parts of Lots 19 and 20, Concession III, Plan Number 778A.....		392/81	June 27/81

	R.R.O. 1980	O.Reg.	Date of Gazette
Town of Fort Erie in The Regional Municipality of Niagara, formerly in the County of Welland, Part of Block F, Corporation Plan No. 24, now known as Plan 525.....		393/81	June 27/81
Township of Amaranth in the County of Dufferin, Lot 1, Concession IX.....		403/81	July 4/81
Township of Carden in the County of Victoria, Lot 2, Concession IV, Plan Number 57R-228.....		411/81	July 4/81
Town of Fort Erie in The Regional Municipality of Niagara, formerly in the Township of Bertie in the County of Welland, Lot 4, Cross Concession.....		450/81	July 18/81
City of Toronto in The Municipality of Metropolitan Toronto, Lot 1, Plan Number 128E.....		485/81	Aug. 8/81
Township of Rama in the County of Simcoe, formerly in the County of Ontario, Lot 19, Concession F.....		486/81	Aug. 8/81
City of Mississauga in The Regional Municipality of Peel, formerly in the Township of Toronto in the County of Peel, Lot 128, Plan Number 745.....		488/81	Aug. 8/81
Town of Wasaga Beach, formerly the Village of Wasaga Beach, in the County of Simcoe, Lot 5, Sixteenth Concession.....		528/81	Aug. 29/81
City of North York, formerly in the Borough of York, in The Municipality of Metropolitan Toronto, Plan Number 2056.....		542/81	Sept. 5/81
Town of East Gwillimbury in The Regional Municipality of York, Block E, Part I, Plan Number 402..... (revoked by 585/81)		577/81	Sept. 12/81
Town of East Gwillimbury in The Regional Municipality of York, Block E, Part I, Plan Number 402.....		585/81	Sept. 12/81
Town of Tay in the County of Simcoe, Lot 13, Plan Number 87 designated as Part 14, Plan Number 51R-1278.....		612/81	Oct. 3/81
City of Orillia, formerly in the Township of South Orillia, in the County of Simcoe, Lot 5, Concession IV, Parts 1, 2, 3 and 4 Plan Number 51R-1130.....		618/81	Oct. 10/81

	R.R.O. 1980	O.Reg.	Date of Gazette
Geographic Township of Casgrain in the Territorial District of Cochrane, Lot 25, Concession VII.....		632/81	Oct. 17/81
Township of Rama in the County of Simcoe, Lot 5, Concession L.....		674/81	Oct. 24/81
Township of Nottawasaga in the County of Simcoe, Lot 32, Concession IV and V.....		676/81	Oct. 31/81
Town of Markham in The Regional Municipality of York, formerly in the Township of Markham in the County of York, Parcel 6-1, Section MA-2..... (revoked by 861/81)		677/81	Oct. 31/81
City of Toronto and partly in the Borough of York, formerly in the Township of York, Plan No. 1885.....		714/81	Nov. 7/81
Town of Fort Erie in The Regional Municipality of Niagara, formerly in the Township of Bertie in the County of Welland, Lot 2, Concession II.....		780/81	Dec. 5/81
Township of Tay in the County of Simcoe, Lot 14, Plan Number 87, Part 5, Plan Number 51R-1278.....		782/81	Dec. 5/81
Township of Mariposa in the County of Victoria, lots 7 and 8, Concession A, Part 54, Plan Number R.D. 187 and Lot 98, Plan Number 553.....		783/81	Dec. 5/81
Town of Wasaga Beach in the County of Simcoe, Lot 26, Plan Number 1576.....		797/81	Dec. 12/81
Town of Wasaga Beach, formerly in the Village of Wasaga Beach, in the County of Simcoe, part of Lot 6, Concession XVI, Plan Number 51R-553.....		840/81	Jan. 2/82
Town of Markham in The Regional Municipality of York, formerly in the Township of Markham in the County of York, Parcel 6-7 for Section MA-2.....		861/81	Jan. 9/82
Township of Lindsay in the County of Bruce, Lot 15, Concession VIII, Plan Number R-174.....		869/81	Jan. 16/82
Township of Emily in the County of Victoria, Lot 13, Concession I, Plan Number RD-44.....		6/82	Jan. 30/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Township of Tay in the County of Simcoe, part of Lot 112, Concession II, Plan Number 51R-1231.....		51/82	Feb. 20/82
Geographic Township of Monteith in the Territorial District of Parry Sound, part of Lot 31, Concession VIII, Plan Number PSR 1700.....		64/82	Feb. 20/82
Geographic Township of Monteith in the Territorial District of Parry Sound, part of Lot 31, Concession VIII, Plan Number PSR 1700.....		65/82	Feb. 20/82
Township of Tay in the County of Simcoe, part of Lot 13, Plan Number 51R-1278.....		80/82	Mar. 6/82
Township of Cardiff in the Provisional County of Haliburton, part of Lot 24, Concession VI.....		81/82	Mar. 6/82
Township of Bedford in the County of Frontenac, part of Lot 31, Concession VII.....		87/82	Mar. 6/82
City of North York in The Municipality of Metropolitan Toronto, part of Lot 64, Plan Number 7611.....		112/82	Mar. 13/82
City of North York in The Municipality of Metropolitan Toronto, Lot 65, Plan Number 7611.....		113/82	Mar. 13/82
Township of Uxbridge in The Regional Municipality of Durham in the County of Ontario, part of Lot 14, Concession VII, Plan Number 414.....		143/82	Mar. 27/82
Town of Wasaga Beach in the County of Simcoe, Lot 43, Plan Number 1700.....		163/82	Apr. 3/82
Township of Tay in the County of Simcoe, Lot 83, Concession 1, Plan Number 51R-10463..... (revoked by 453/82)		164/82	Apr. 3/82
Township of Scugog in The Regional Municipality of Durham, Lot 5, Concession X, Plan Number 42R-4747.....		175/82	Apr. 10/82
Township of Tay in the County of Simcoe, lots 13 and 14, Plan Number 51R-1278.....		192/82	Apr. 17/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Township of Georgina in The Regional Municipality of York, Lot 11, Concession III, Plan Number 86766B.....		193/82	Apr. 17/82
City of Mississauga in The Regional Municipality of Peel, Lot 162, Plan Number 77.....		280/82	May 15/82
City of Mississauga in The Regional Municipality of Peel, Lot 5, Concession I, Plan Number 118-080.....		292/82	May 22/82
Town of Wasaga Beach, County of Simcoe, Lot 6, Concession XVI, Plan Number RD469.....		301/82	May 22/82
Township of Smith in the County of Peterborough, Lot 27, Concession XIV, Plan Number 45R-4201.....		316/82	May 29/82
Town of Parry Sound, Territorial District of Parry Sound, Lots 114 and 115 on Westside of Highview Street, Plan Number 118.....		332/82	June 5/82
Township of Mariposa, County of Victoria, Lot 40, Plan Number 55.....		371/82	June 19/82
Township of Southwold, County of Elgin, Lot 45, Plan Number D-911.....		372/82	June 19/82
Township of Mariposa, County of Victoria, Part 19 on Reference Plan, Lot 40, Plan Number 553.....		381/82	June 19/82
revoked.....		435/82	July 10/82
Township of Essa in the County of Simcoe, Lot 19 in Concession IV, Plan Number 478.....		402/82	June 26/82
Town of Wasaga Beach, formerly in the Township of Sunnidale, in the County of Simcoe, Lot 5, Concession XV, Plan Number 51R-1316.....		420/82	July 3/82
Township of Adelaide, County of Middlesex, Concession III, Lot 19, Plan Number 295.....		421/82	July 3/82
Township of Adelaide, County of Middlesex, Concession III, Lot 20, Plan Number 295.....		422/82	July 3/82
Township of Normandy, County of Grey, Lot 30, Concession XIII.....		427/82	July 3/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Township of Beaucage in the Territorial District of Nipissing, Lot 12, Concession I, Plan Number P-2259.....		446/82	July 17/82
Township of Lindsay, County of Bruce, Lot 15, Concession VIII, Plan Number R-174.....		452/82	July 17/82
Township of Tay, County of Simcoe, Lot 83, Concession I, Plan Number 51R-10463.....		453/82	July 17/82
Township of Leamington, County of Essex, Lot 10, Plan Number 198.....		461/82	July 24/82
Village of Elora, County of Wellington Wellington South (No.61), Plan Number 181.....		481/82	July 31/82
Township of London, County of Middlesex, Concession XI.....		493/82	Aug. 7/82
Township of Matchedash, County of Simcoe, Lot 20, Concession VIII.....		510/82	Aug. 14/82
Village of Elora, County of Wellington, Wellington South (No.61) as Number 181, Plan Number WGR-14.....		511/82	Aug. 14/82
Township of Himsworth South, District of Parry Sound, Lot 11, Concession XVII, Number PSR, Plan 290.....		512/82	Aug. 14/82
Township of Cardiff, Provisional County of Haliburton, Lot 24, Concession VI.....		578/82	Sept. 11/82
Town of Halton Hills, The Regional Municipality of Halton (formerly the Town of Acton in the County of Halton) Lot 40, Plan Number 772.....		603/82	Sept. 25/82
Township of West Lincoln, The Regional Municipality of Niagara (Formerly in the Township of Gainsborough, County of Lincoln) Lot 12, Concession VI.....		605/82	Sept. 25/82
Township of Cardiff, Provisional County of Haliburton, Lot 24, Concession VI.....		666/82	Oct. 23/82
Township of Innisfil, County of Simcoe, Lot 30, Concession XIII, Plan Number R-174..... (revoked by 4/83)		675/82	Oct. 23/82
Township of Adjala in the County of Simcoe, Plan Number RD-622.....		691/82	Oct. 30/82

	R.R.O. 1980	O.Reg.	Date of Gazette
Township of Innisfil in the County of Simcoe, Lot 26, Concession XI.....		699/82	Nov. 6/82
Township of Bayham in the County of Elgin.....		735/82	Nov. 20/82
Township of Essa in the County of Simcoe, Lot 19, Concession IV.....		756/82	Dec. 4/82
Township of Tudhope in the Territorial District of Timiskaming, Lot 11, Concession 1, Plan Number 54R-1327.....		759/82	Dec. 4/82
Township of Essa in the County of Simcoe, Lot 19, Concession IV, Plan Number 51R-11213.....		763/82	Dec. 4/82
Township of Lindsay in the County of Bruce, Lot 15, Concession VIII, Plan Number R-174.....		764/82	Dec. 4/82
Township of Cramahe in the County of Northumberland, Lots 14, 15 and 16 in Concession IV.....		788/82	Dec. 4/82
Township of Brant in the County of Bruce, Lot 30, Concession II.....		811/82	Jan. 1/83
Township of Innisfil in the County of Simcoe, Part of Broken, Lot 30, Concession XIII and Part of Lot 39 and Block G, Plan Number 660.....		4/83	Jan. 22/83
Town of Wasaga Beach (formerly in the township of Sunnidale) in the County Simcoe, Lot 6, Concession XVI, Plan Number 534.....		18/83	Jan. 29/83
Town of Rayside - Balfour in The Regional Municipality of Sudbury, Lot 1, Concession III, Plan Number 53R-3792.....		52/83	Feb. 5/83
Town of Lindsay, formerly in the Township of Ops, in the County of Victoria, east half of Lot 20 in Concession IV, Plan Number 97956; Lot 20, Concession IV, Plan Number 13415.....		59/83	Feb. 5/83
Town of Onaping Falls formerly in the Township of Dowling, in The Regional Municipality of Sudbury, Lot 10, Concession IV.....		89/83	Feb. 26/83

	R.R.O. 1980	O.Reg.	Date of Gazette
Town of Wasaga Beach, formerly in the Township of Nottawasaga, County of Simcoe, Lot 8, Plan Number 862.....		105/83	Mar. 12/83
Town of Fort Erie in The Regional Municipality of Niagara, parts of Lots 13 and 14, Plan Number 328 for the Town of Fort Erie and Plan Number 2371 for the former Township of Bertie. now known as Plan Number 992.....		109/83	Mar. 12/83
City of Cornwall in the United Counties of Stormont, Dundas and Glengarry, Lot 7, Concession 1.....		110/83	Mar. 19/83
Township of Wolford in the United Counties of Leeds and Grenville, Lot 10, Concession II.....		111/83	Mar. 19/83
Township of Orillia in the County of Simcoe, Lot 2 Concession 1, Plan Number 478.....		115/83	Mar. 19/83
Township of Dack, in the Territorial District of Timiskaming, Parcel 17567, South Section Timiskaming.....		143/83	Mar. 26/83
Township of Tay in the County of Simcoe, part of Lot 13 Plan Number 51R-1278.....		181/83	Apr. 16/83
Town of Wasaga Beach in the County of Simcoe, Lot 40 Plan Number 1700.....		182/83	Apr. 16/83
Township of Croft in the Territorial District of Parry Sound, Lots 21 and 22, Concession III, Plan Number P&P 100A.....		207/83	Apr. 23/83
City of Mississauga in The Regional Municipality of Peel, formerly in the Township of Toronto in the County of Peel, part of Lot 125 Plan Number 774.....		216/83	Apr. 30/83
Township of Hagerman in the Territorial District of Parry Sound, parts of Lots 28, 29 and 30 in Concession VII Plan Number 100.....		217/83	Apr. 30/83

	R.R.O. 1980	O.Reg.	Date of Gazette
Town of Fort Erie in The Regional Municipality of Niagara, formerly in the Village of Crystal Beach in the County of Welland, part of Block P Plan Number 544.....		243/83	May 14/83
Township of Evanturel in the Territorial District of Timiskaming, part of the south half of Lot 7 in Concession I.....		249/83	May 14/83
Townships of Belmont and Methuen, formerly in the Township of Methuen, in the County of Peterborough, parts of Lot 30 in Concession IX.....		315/83	June 11/83
Township of Mariposa in the County of Victoria, part of Lot 1 in Concession C, part 6 Number R.D. 200 Lot 11 Number 547.....		327/83	June 18/83
Township of Howard in the County of Kent, half Lot 93, Number 219087.....		329/83	June 18/83
Township of Mariposa in the County of Victoria part of Lot 8 in Concession A Number R.D. 187.....		352/83	June 25/83
Town of Goderich in the County of Huron West half of Lot 376 Plan Number 457.....		357/83	July 2/83
Town of Huntsville in the District Municipality of Muskoka, formerly in the Township of Chaffey in the District of Muskoka, Part of Lot 11, Concession III Township of Chaffey Part 18, Plan Number BR-1048.....		420/83	July 16/83
Town of Aylmer in the County of Elgin Lots 1, 2, 3, 4 and 5 of Plan 301.....		421/83	July 16/83
Town of Rayside-Balfour in The Regional Municipality of Sudbury, part of Lot 1 in Concession III, Plan Number 53R-3792.....		467/83	Aug. 6/83
Town of Rayside-Balfour in The Regional Municipality of Sudbury, part of Lot 1 in Concession III, Plan Number 53R-3792.....		468/83	Aug. 6/83

	R.R.O. 1980	O.Reg.	Date of Gazette
Township of Fenelon in the County of Victoria part of Lot 30 in Concession VII.....		472/83	Aug. 13/83
Township of Georgina, in The Regional Municipality of York, formerly in the County of York, part of Lot Numbers 22 and 23 in Concession 1.....		518/83	Aug. 27/83
City of Mississauga in The Regional Municipality of Peel (formerly in the Township of Toronto, in the County of Peel) part of Block B, Plan Number 680.....		519/83	Aug. 27/83
(An asterisk (*) denotes that the Regulation has been amended prior to January 1, 1981 but the amendments are not shown.) (- for amendments to the end of 1980 - see Table of Regulations published in The Ontario Gazette dated March 14, 1981 or in the Statutes of Ontario, 1980.)			
Restricted Areas - (now zoning)			
County of Brant,			
Township of Brantford.....	*295/74		
revoked.....	44/87	Feb.	14/87
Township of Brantford (revoking Reg.).....	695/82	Nov.	6/82
County of Bruce,			
Township of Brant (revoking Reg.).....	747/82	Nov.	27/82
Township of Carriack.....	*274/74		
amended.....	358/83	July	2/83
Township of Huron (revoking Reg.).....	746/82	Nov.	27/82
Town of Kincardine (revoking Reg.).....	748/82	Nov.	27/82
County of Elgin,			
Township of Bayham (*284/74)			
amended.....	738/81	Nov.	21/81
revoked.....	799/82	Dec.	25/82
Township of Malahide (revoking Reg.)...	588/82	Sept.	18/82
County of Essex,			
Township of Colchester South (revoking Reg.).....	176/82	Apr.	10/82
Township of Mersea (revoking Reg.).....	632/82	Oct.	9/82
Township of Tilbury North.....	*674 of R.R.O.	1970	
amended.....	701/83	Nov.	19/83
County of Frontenac,			
Township of Bedford (revoking Reg.)....	159/81	Apr.	4/81

	R.R.O. 1980	O.Reg.	Date of Gazette
County of Grey, Township of Glenelg.....		*294/74	
County of Haliburton, Township of Cardiff (revoking Reg.)....		604/82	Sept. 25/82
County of Hastings, Township of Sidney (revoking Reg.).....		305/82	May 22/82
Township of Thurlow.....		*318/74	
amended.....		218/83	Apr. 30/83
amended.....		593/84	Oct. 6/84
County of Huron, Township of East Wawanosh (revoking Reg.).....		238/82	May 1/82
Township of Hay (revoking Reg.).....		241/82	May 1/82
Township of Morris (revoking Reg.).....		239/82	May 1/82
Township of Stephen.....		*289/74	
amended.....		410/81	July 4/81
Township of Turnberry (revoking Reg.).....		240/82	May 1/82
Township of Usborne.....		*287/74	
County of Kent, Township of Camden (revoking Reg.).....		214/82	Apr. 24/82
Township of Chatham (*10/73) amended.....		752/81	Nov. 28/81
amended.....		809/81	Dec. 19/81
amended.....		587/82	Sept. 18/82
revoked.....		642/82	Oct. 16/82
Township of Harwich.....		69/81	Mar. 7/81
Township of Raleigh (revoking Reg.)....		68/81	Mar. 7/81
Township of Raleigh.....		70/81	Mar. 7/81
County of Lambton, Township of Bosanquet (revoking Reg.).....		100/82	Mar. 6/82
Township of Moore.....		250/83	May 14/83
(revoking Reg.).....		211/85	June 1/85
Township of Warwick.....		*281/74	
amended.....		851/81	Jan. 9/82
County of Lanark, Township of Drummond (revoking Reg.).....		531/81	Aug. 29/81

	R.R.O. 1980	O.Reg.	Date of Gazette
County of Leeds and Grenville, Township of Front of Leeds and Lansdowne (revoking Reg.).....		547/82	Aug. 21/82
Township of Oxford (on Rideau).....	372/77		
amended.....	22/81	Feb.	14/81
revoked.....	708/86	Dec.	20/86
Township of South Elmsley.....	*310/74		
Township of South Gower.....	371/77		
County of Northumberland, Township of Murray (revoking Reg.).....		862/81	Jan. 16/82
County of Ontario (now The Regional Municipality of Durham), Township of Pickering (now the Town of Pickering).....	*102/72		
amended.....	208/81	Apr.	18/81
amended.....	209/81	Apr.	25/81
amended.....	833/81	Jan.	2/82
amended.....	852/81	Jan.	9/82
amended.....	165/82	Apr.	3/82
amended.....	492/82	Aug.	7/82
amended.....	64/83	Feb.	12/83
amended.....	93/83	Feb.	26/83
amended.....	194/83	Apr.	16/83
amended.....	283/83	May	28/83
amended.....	291/83	May	28/83
amended.....	310/83	June	4/83
amended.....	311/83	June	4/83
amended.....	469/83	Aug.	6/83
amended.....	114/84	Mar.	10/84
amended.....	608/84	Oct.	13/84
amended.....	66/85	Feb.	23/85
amended.....	67/85	Feb.	23/85
amended.....	202/85	May	25/85
amended.....	372/85	July	27/85
amended.....	390/85	Aug.	17/85
amended.....	393/85	Aug.	17/85
amended.....	468/85	Oct.	5/85
amended.....	522/85	Nov.	2/85
amended.....	34/86	Feb.	15/86
amended.....	74/86	Mar.	1/86
amended.....	101/86	Mar.	15/86
amended.....	110/86	Mar.	22/86
amended.....	235/86	May	17/86
amended.....	236/86	May	17/86
amended.....	262/86	May	24/86
amended.....	403/86	July	26/86
amended.....	404/86	July	26/86
amended.....	469/86	Aug.	23/86
amended.....	535/86	Sept.	20/86
amended.....	612/86	Oct.	25/86
amended.....	732/86	Jan.	3/87
amended.....	129/87	Mar.	28/87
amended.....	468/87	Aug.	22/87
amended.....	483/87	Sept.	5/87

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		538/87	Oct. 10/87
amended.....		546/87	Oct. 17/87
amended.....		81/88	Feb. 27/88
amended.....		144/88	Apr. 2/88
Township of Oxbridge.....		*103/72	
amended.....		538/81	Aug. 29/81
amended.....		426/82	July 3/82
amended.....		584/83	Oct. 1/83
revoked.....		506/84	Aug. 25/84
County of Oxford, Township of Tillsonburg.....		*347/74	
County of Perth, Township of Elma (revoking Reg.).....		182/82	Apr. 10/82
Township of Wallace (revoking Reg.)....		183/82	Apr. 10/82
County of Peterborough, Township of North Monaghan.....		377/77	
Township of Smith.....		720/79	
amended.....		319/85	June 29/85
revoked.....		590/85	Dec. 7/85
Township of Smith.....		879/79	
amended.....		320/85	June 29/85
revoked.....		589/85	Dec. 7/85
County of Prescott and Russell, Township of West Hawkesbury.....		*321/74	
revoked		721/84	Nov. 24/84
County of Prince Edward, Township of North Marysburgh (revoking Reg.).....		812/81	Dec. 19/81
Township of Sophiasburgh (revoking Reg.).....		696/82	Nov. 6/82
County of Renfrew, Township of Admaston.....		*316/74	
revoked.....		731/86	Dec. 27/86
Township of Alice and Fraser.....		*314/74	
revoked.....		730/86	Dec. 27/86
Township of Horton.....		*317/74	
revoked.....		520/84	Sept. 1/84
Township of McNab.....		*311/74	
amended.....		437/81	July 11/81
revoked.....		728/86	Dec. 27/86
Township of Pembroke.....		*315/74	
revoked.....		519/84	Sept. 1/84

	R.R.O. 1980	O.Reg.	Date of Gazette
Township of Rolph, Buchanan, Wylie and McKay.....		*312/74	
revoked.....		729/86	Dec. 27/86
Township of Stafford (revoking Reg.)...		697/82	Nov. 6/82
County of Simcoe, Township of Essa.....		*299/74	
Township of Innisfil.....		1034/80	
amended.....		20/82	Feb. 6/82
amended.....		5/84	Jan. 21/84
revoked.....		425/85	Sept. 14/85
Township of Innisfil.....		675/81	Oct. 24/81
amended.....		438/82	July 10/82
amended.....		621/82	Oct. 9/82
amended.....		719/82	Nov. 13/82
amended.....		284/83	May 28/83
amended.....		319/83	June 11/83
amended.....		498/83	Aug. 20/83
amended.....		786/83	Jan. 7/84
amended.....		39/84	Feb. 11/84
amended.....		76/84	Feb. 25/84
amended.....		673/84	Nov. 10/84
amended.....		740/84	Dec. 8/84
amended.....		25/85	Feb. 9/85
amended.....		340/85	July 6/85
amended.....		377/85	Aug. 3/85
revoked.....		415/85	Aug. 31/85
Township of Nottawasaga.....		*675 of R.R.O. 1970	
amended.....		185/81	Apr. 11/81
amended.....		237/81	May 2/81
amended.....		366/81	June 20/81
amended.....		367/81	June 20/81
amended.....		474/81	Aug. 1/81
amended.....		518/81	Aug. 22/81
amended.....		545/81	Sept. 5/81
amended.....		624/81	Oct. 10/81
amended.....		684/81	Oct. 31/81
amended.....		878/81	Jan. 16/82
amended.....		56/82	Feb. 20/82
amended.....		101/82	Mar. 6/82
amended.....		142/82	Mar. 27/82
amended.....		373/82	June 19/82
amended.....		378/82	June 19/82
amended.....		395/82	June 26/82
amended.....		462/82	July 24/82
amended.....		509/82	Aug. 14/82
amended.....		557/82	Aug. 28/82
amended.....		585/82	Sept. 18/82
amended.....		586/82	Sept. 18/82
amended.....		631/82	Oct. 9/82
amended.....		662/82	Oct. 23/82
amended.....		703/82	Nov. 6/82
amended.....		65/83	Feb. 12/83
amended.....		117/83	Mar. 19/83
amended.....		262/83	May 21/83

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....	312/83	June	4/83
amended.....	313/83	June	4/83
amended.....	354/83	July	2/83
amended.....	390/83	July	9/83
amended.....	391/83	July	9/83
amended.....	449/83	July	30/83
amended.....	534/83	Sept.	10/83
amended.....	535/83	Sept.	10/83
amended.....	536/83	Sept.	10/83
amended.....	537/83	Sept.	10/83
amended.....	574/83	Sept.	24/83
amended.....	694/83	Nov.	19/83
amended.....	111/84	Mar.	10/84
amended.....	118/84	Mar.	10/84
amended.....	119/84	Mar.	10/84
amended.....	213/84	Apr.	28/84
amended.....	330/84	June	9/84
amended.....	336/84	June	9/84
amended.....	483/84	Aug.	18/84
amended.....	484/84	Aug.	18/84
amended.....	485/84	Aug.	18/84
amended.....	505/84	Aug.	25/84
amended.....	609/84	Oct.	13/84
amended.....	646/84	Oct.	27/84
amended.....	672/84	Nov.	10/84
amended.....	727/84	Nov.	24/84
amended.....	793/84	Dec.	29/84
amended.....	800/84	Jan.	5/85
amended.....	16/85	Feb.	9/85
amended.....	141/85	Apr.	20/85
amended.....	175/85	May	4/85
amended.....	195/85	May	18/85
amended.....	200/85	May	25/85
amended.....	244/85	June	8/85
amended.....	368/85	July	20/85
amended.....	384/85	Aug.	10/85
amended.....	385/85	Aug.	10/85
amended.....	392/85	Aug.	17/85
amended.....	455/85	Sept.	28/85
amended.....	456/85	Sept.	28/85
amended.....	457/85	Sept.	28/85
amended.....	485/85	Oct.	19/85
amended.....	486/85	Oct.	19/85
amended.....	587/85	Nov.	30/85
amended.....	5/86	Jan.	25/86
amended.....	107/86	Mar.	22/86
amended.....	185/86	Apr.	19/86
amended.....	186/86	Apr.	19/86
amended.....	230/86	May	17/86
amended.....	312/86	June	14/86
amended.....	313/86	June	14/86
amended.....	346/86	June	28/86
amended.....	347/86	June	28/86
amended.....	348/86	June	28/86
amended.....	349/86	June	28/86
amended.....	378/86	July	12/86
amended.....	405/86	July	26/86
amended.....	415/86	Aug.	2/86
amended.....	471/86	Aug.	23/86

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		515/86	Sept. 20/86
amended.....		529/86	Sept. 20/86
amended.....		560/86	Oct. 11/86
amended.....		561/86	Oct. 11/86
amended.....		593/86	Oct. 18/86
amended.....		626/86	Nov. 15/86
amended.....		627/86	Nov. 15/86
amended.....		653/86	Nov. 22/86
amended.....		678/86	Dec. 13/86
amended.....		679/86	Dec. 13/86
amended.....		43/87	Feb. 14/87
amended.....		113/87	Mar. 21/87
amended.....		125/87	Mar. 28/87
amended.....		145/87	Apr. 11/87
amended.....		231/87	May 16/87
amended.....		290/87	June 13/87
amended.....		310/87	June 27/87
amended.....		332/87	June 27/87
amended.....		350/87	July 4/87
amended.....		390/87	July 18/87
amended.....		441/87	Aug. 15/87
amended.....		473/87	Aug. 29/87
amended.....		482/87	Sept. 5/87
amended.....		485/87	Sept. 5/87
amended.....		503/87	Sept. 12/87
amended.....		507/87	Sept. 19/87
amended.....		522/87	Sept. 19/87
amended.....		539/87	Oct. 10/87
amended.....		555/87	Oct. 17/87
amended.....		556/87	Oct. 17/87
amended.....		557/87	Oct. 17/87
revoked.....		609/87	Dec. 5/87
Township of Nottawasaga.....		302/82	May 22/82
Township of Tay (revoking Reg.).....		148/81	Apr. 4/81
Township of Tecumseth.....		*300/74	
amended.....		616/82	Oct. 2/82
revoked.....		314/84	June 2/84
Township of Tiny.....		190/81	Apr. 11/81
amended.....		728/84	Dec. 1/84
revoked.....		126/85	Apr. 13/85
Township of Vespra.....		*62/73	
amended.....		202/81	Apr. 18/81
amended.....		274/81	May 16/81
amended.....		307/81	May 23/81
amended.....		491/81	Aug. 8/81
amended.....		492/81	Aug. 8/81
amended.....		519/81	Aug. 22/81
amended.....		374/82	June 19/82
amended.....		375/82	June 19/82
amended.....		765/82	Dec. 4/82
amended.....		5/83	Jan. 22/83
amended.....		761/83	Dec. 17/83
amended.....		771/83	Dec. 24/83
amended.....		528/84	Sept. 1/84

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....	770/84	Dec.	22/84
amended.....	771/84	Dec.	22/84
amended.....	125/85	Apr.	13/85
amended.....	196/85	May	18/85
amended.....	387/85	Aug.	10/85
amended.....	643/85	Dec.	28/85
amended.....	106/86	Mar.	22/86
amended.....	357/86	July	5/86
amended.....	470/86	Aug.	23/86
amended.....	733/86	Jan.	3/87
revoked.....	753/88	Jan.	7/89
County of Victoria, Township of Ops (revoking Reg.).....	715/81	Nov.	7/81
District of Algoma, Geographic townships of Cobden, Striker, Scarfe and Mack.....	409/82	June	26/82
amended.....	332/83	June	18/83
amended.....	376/85	Aug.	3/85
amended.....	389/87	July	18/87
amended.....	462/87	Aug.	22/87
amended.....	309/88	May	28/88
Geographic townships of Lewis, Long, Shedden, Spragge and Striker.....	*662 of R.R.O. 1970		
amended.....	370/82	June	12/82
amended.....	409/82	June	26/82
revoked.....	299/84	May	26/84
Geographic Township of West.....	182/81	Apr.	11/81
amended.....	308/81	May	30/81
amended.....	395/85	Aug.	17/85
Sault Ste. Marie North Planning Area...	279/80		
amended.....	161/81	Apr.	4/81
amended.....	281/81	May	23/81
amended.....	380/81	June	20/81
amended.....	497/81	Aug.	15/81
amended.....	716/81	Nov.	7/81
amended.....	863/81	Jan.	16/82
amended.....	2/82	Jan.	23/82
amended.....	63/82	Feb.	20/82
amended.....	159/82	Apr.	3/82
amended.....	266/82	May	8/82
amended.....	333/82	June	5/82
amended.....	514/82	Aug.	14/82
amended.....	583/82	Sept.	11/82
amended.....	118/83	Mar.	19/83
amended.....	139/83	Mar.	26/83
amended.....	204/83	Apr.	23/83
amended.....	529/83	Sept.	3/83
amended.....	548/83	Sept.	10/83
amended.....	593/83	Oct.	15/83
amended.....	50/84	Feb.	18/84
amended.....	51/84	Feb.	18/84
amended.....	92/84	Mar.	3/84
amended.....	268/84	May	12/84
amended.....	269/84	May	12/84

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		537/84	Sept. 8/84
amended.....		762/84	Dec. 15/84
amended.....		416/85	Aug. 31/85
amended.....		659/85	Jan. 4/86
amended.....		303/86	June 7/86
amended.....		445/86	Aug. 16/86
amended.....		478/86	Aug. 30/86
amended.....		666/86	Nov. 29/86
amended.....		302/87	June 20/87
amended.....		463/87	Aug. 22/87
amended.....		559/87	Oct. 17/87
amended.....		90/88	Mar. 5/88
amended.....		91/88	Mar. 5/88
amended.....		519/88	Sept. 3/88
amended.....		520/88	Sept. 3/88
amended.....		521/88	Sept. 3/88
amended.....		617/88	Oct. 22/88
amended.....		618/88	Oct. 22/88
amended.....		646/88	Nov. 12/88
amended.....		769/88	Jan. 14/89
District of Cochrane, Town of Kapuskasing.....	*669 of R.R.O. 1970		
revoked.....	469/84	Aug.	11/84
Town of Kapuskasing.....	172/75		
revoked.....	477/84	Aug.	18/84
Township of Glackmeyer.....	*271/74		
Geographic townships of Casgrain, Hanlan, Kendall, Lowther and Way.....	*493/78		
amended.....	63/81	Feb.	28/81
amended.....	486/82	July	31/82
amended.....	230/83	May	7/83
amended.....	326/83	June	18/83
amended.....	281/84	May	19/84
amended.....	337/84	June	16/84
amended.....	631/84	Oct.	20/84
amended.....	741/84	Dec.	8/84
amended.....	78/85	Mar.	2/85
amended.....	91/85	Mar.	9/85
amended.....	162/85	Apr.	20/85
amended.....	245/85	June	8/85
amended.....	479/85	Oct.	12/85
amended.....	667/85	Jan.	4/86
amended.....	700/85	Jan.	18/86
amended.....	181/86	Apr.	19/86
Geographic townships of O'Brien, Town and Township	423/78		
amended.....	276/86	May	31/86
Sunday Lake Area and Lower Detour Lake Area.....	280/81	May	23/81
District of Kenora, Geographic Township of Baird.....	12/78		
(revoked by 85/84)			

	R.R.O. 1980	O.Reg.	Date of Gazette
Geographic Township of Baird.....		162/82	Apr. 3/82
Geographic townships of Brownridge, Ewart, Glass, Kirkup and Pelican.....		482/71	
Geographic Township of Forgie.....		798/81	Dec. 12/81
Geographic Township of Pellatt.....		783/82	Dec. 18/82
amended.....		636/88	Nov. 5/88
Geographic Township of Pettypiece.....		177/80	
Geographic Township of Van Horne.....		343/82	June 12/82
revoked.....		110/84	Mar. 10/84
Geographic Township of Wainwright.....		797/79	
Geographic Township of Wainwright.....		326/81	May 30/81
Territorial District of Kenora (Part of Summer Resort Location L.K. 324 - Parcel 15400 - District of Kenora Freehold).....		327/81	May 30/81
Territorial District of Kenora.....		718/82	Nov. 13/82
amended.....		470/84	Aug. 11/84
District of Manitoulin, Geographic townships of Campbell, Dawson, Mills and Robinson (*153/74)			
amended.....		144/81	Mar. 28/81
amended.....		158/81	Apr. 4/81
amended.....		435/81	July 11/81
amended.....		530/81	Aug. 29/81
(revoked by 672/81)			
District of Manitoulin, Geographic townships of Campbell, Dawson, Mills and Robinson.....		672/81	Oct. 24/81
amended.....		206/82	Apr. 24/82
amended.....		267/82	May 8/82
amended.....		369/82	June 12/82
amended.....		444/82	July 17/82
amended.....		610/82	Sept. 25/82
amended.....		205/83	Apr. 23/83
amended.....		206/83	Apr. 23/83
amended.....		652/83	Oct. 29/83
amended.....		692/83	Nov. 12/83
amended.....		717/83	Dec. 3/83
amended.....		14/84	Jan. 28/84
amended.....		562/84	Sept. 15/84
amended.....		99/85	Mar. 16/85
amended.....		183/85	May 4/85
amended.....		423/85	Sept. 7/85
amended.....		591/85	Dec. 7/85
amended.....		109/86	Mar. 22/86
amended.....		307/86	June 14/86
amended.....		536/86	Sept. 20/86
amended.....		537/86	Sept. 20/86

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		615/86	Nov. 1/86
amended.....		616/86	Nov. 1/86
amended.....		701/86	Dec. 20/86
amended.....		66/87	Feb. 28/87
amended.....		401/87	July 25/87
amended.....		412/87	Aug. 1/87
amended.....		437/87	Aug. 8/87
amended.....		474/87	Aug. 29/87
amended.....		484/87	Sept. 5/87
amended.....		547/87	Oct. 17/87
amended.....		587/87	Nov. 14/87
amended.....		663/87	Dec. 19/87
amended.....		715/87	Jan. 9/88
amended.....		5/88	Jan. 30/88
amended.....		23/88	Feb. 6/88
amended.....		92/88	Mar. 5/88
amended.....		124/88	Mar. 19/88
amended.....		128/88	Mar. 19/88
amended.....		152/88	Apr. 9/88
amended.....		153/88	Apr. 9/88
amended.....		154/88	Apr. 9/88
amended.....		344/88	June 18/88
amended.....		609/88	Oct. 15/88
amended.....		727/88	Dec. 31/88
amended.....		728/88	Dec. 31/88
amended.....		754/88	Jan. 7/89
District of Nipissing, Geographic townships of Askin, Gladman, Joan and Macpherson.....		486/71	
Geographic Township of Phyllis.....		811/81	Dec. 19/81
Geographic Township of Strathy.....	*666 of	R.R.O. 1970	
revoked.....		813/84	Jan. 5/85
part of the District..... (see Schedule to the Regulation)		*540/74	
amended.....		35/81	Feb. 14/81
amended.....		75/81	Mar. 7/81
amended.....		397/81	June 27/81
amended.....		457/81	July 25/81
amended.....		562/81	Sept. 12/81
amended.....		563/81	Sept. 12/81
amended.....		564/81	Sept. 12/81
amended.....		673/81	Oct. 24/81
amended.....		740/81	Nov. 21/81
amended.....		745/81	Nov. 28/81
amended.....		758/81	Nov. 28/81
amended.....		830/81	Dec. 26/81
amended.....		831/81	Dec. 26/81
amended.....		57/82	Feb. 20/82
amended.....		149/82	Apr. 3/82
amended.....		209/82	Apr. 24/82
amended.....		210/82	Apr. 24/82
amended.....		334/82	June 5/82
amended.....		361/82	June 12/82
amended.....		383/82	June 19/82
amended.....		463/82	July 24/82

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		464/82	July 24/82
amended.....		485/82	July 31/82
amended.....		500/82	Aug. 7/82
amended.....		581/82	Sept. 11/82
amended.....		582/82	Sept. 11/82
amended.....		678/82	Oct. 23/82
amended.....		702/82	Nov. 6/82
amended.....		708/82	Nov. 13/82
amended.....		777/82	Dec. 11/82
amended.....		846/82	Jan. 8/83
amended.....		337/83	June 25/83
amended.....		680/83	Nov. 12/83
amended.....		712/83	Nov. 26/83
amended.....		775/83	Dec. 31/83
amended.....		776/83	Dec. 31/83
amended.....		777/83	Dec. 31/83
amended.....		1/84	Jan. 21/84
amended.....		224/84	Apr. 28/84
amended.....		331/84	June 9/84
amended.....		400/84	July 7/84
amended.....		436/84	July 21/84
amended.....		437/84	July 21/84
amended.....		553/84	Sept. 8/84
amended.....		594/84	Oct. 6/84
amended.....		595/84	Oct. 6/84
amended.....		596/84	Oct. 6/84
amended.....		597/84	Oct. 6/84
amended.....		742/84	Dec. 8/84
amended.....		744/84	Dec. 8/84
amended.....		757/84	Dec. 15/84
amended.....		774/84	Dec. 22/84
amended.....		798/84	Jan. 5/85
(revoked by 40/85)			
Township of Temagami.....	*667 of R.R.O.	1970	
amended.....	561/81	Sept.	12/81
amended.....	454/82	July	17/82
amended.....	535/82	Aug.	21/82
amended.....	17/83	Jan.	22/83
revoked.....	583/84	Sept.	29/84
District of Parry Sound,			
Geographic Township of Croft.....	153/80		
Geographic Township of Croft.....	1110/80		
Geographic Township of East Mills.....	1133/80		
Geographic Township of Ferguson.....	1109/80		
amended.....	396/81	June	27/81
Geographic Township of Ferguson (Plan M-478).....	537/82	Aug.	21/82
Geographic Township of Ferguson (Plan M-512).....	538/82	Aug.	21/82
amended.....	250/84	May	12/84

	R.R.O. 1980	O.Reg.	Date of Gazette	
Geographic Townships of McKenzie and Patterson.....		*484/71		
amended.....		74/82	Feb.	27/82
amended.....		405/82	June	26/82
District of Rainy River, Geographic Township of Miscampbell.....		449/74		
amended.....		575/81	Sept.	12/81
amended.....		603/81	Sept.	19/81
amended.....		712/81	Nov.	7/81
Registered Plan No. SM-293 (south of the Geographic Township of Trottier)...		483/71		
Township of Alberton.....		*268/74		
District of Sudbury, Geographic Townships of Emo and Strathearn.....		485/71		
Geographic Township of Ivanhoe.....		831/82	Jan.	8/83
Part of the District (*568/72)				
amended.....		1/81	Jan.	24/81
amended.....		14/81	Feb.	7/81
amended.....		384/81	June	27/81
amended.....		385/81	June	27/81
amended.....		477/81	Aug.	1/81
amended.....		487/81	Aug.	8/81
amended.....		509/81	Aug.	15/81
amended.....		532/81	Aug.	29/81
amended.....		543/81	Sept.	5/81
amended.....		572/81	Sept.	12/81
(revoked by 834/81)				
Territorial District of Sudbury.....		834/81	Jan.	2/82
amended.....		67/82	Feb.	20/82
amended.....		79/82	Mar.	6/82
amended.....		110/82	Mar.	13/82
amended.....		116/82	Mar.	20/82
amended.....		117/82	Mar.	20/82
amended.....		118/82	Mar.	20/82
amended.....		242/82	May	1/82
amended.....		243/82	May	1/82
amended.....		257/82	May	1/82
amended.....		450/82	July	17/82
amended.....		476/82	July	24/82
amended.....		501/82	Aug.	7/82
amended.....		563/82	Sept.	4/82
amended.....		584/82	Sept.	11/82
amended.....		611/82	Sept.	25/82
amended.....		700/82	Nov.	6/82
amended.....		701/82	Nov.	6/82
amended.....		53/83	Feb.	5/83
amended.....		183/83	Apr.	16/83
amended.....		208/83	Apr.	23/83
amended.....		261/83	May	21/83
amended.....		292/83	May	28/83
amended.....		293/83	May	28/83

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		349/83	June 25/83
amended.....		473/83	Aug. 13/83
amended.....		488/83	Aug. 20/83
amended.....		547/83	Sept. 10/83
amended.....		564/83	Sept. 24/83
amended.....		577/83	Oct. 1/83
amended.....		585/83	Oct. 1/83
amended.....		586/83	Oct. 1/83
amended.....		714/83	Nov. 26/83
amended.....		94/84	Mar. 3/84
amended.....		99/84	Mar. 3/84
amended.....		766/84	Dec. 15/84
amended.....		767/84	Dec. 15/84
amended.....		768/84	Dec. 15/84
amended.....		41/85	Feb. 9/85
amended.....		75/85	Feb. 23/85
amended.....		76/85	Feb. 23/85
amended.....		77/85	Feb. 23/85
amended.....		123/85	Apr. 6/85
amended.....		187/85	May 11/85
amended.....		424/85	Sept. 7/85
amended.....		462/85	Sept. 28/85
amended.....		549/85	Nov. 16/85
amended.....		703/85	Jan. 18/86
amended.....		69/86	Mar. 1/86
amended.....		105/86	Mar. 15/86
amended.....		733/88	Dec. 31/88
amended.....		191/86	Apr. 26/86
amended.....		229/86	May 17/86
amended.....		394/86	July 12/86
amended.....		427/86	Aug. 16/86
amended.....		662/86	Nov. 22/86
amended.....		663/86	Nov. 22/86
amended.....		677/86	Dec. 13/86
amended.....		761/86	Jan. 17/87
amended.....		5/87	Jan. 31/87
amended.....		6/87	Jan. 31/87
amended.....		7/87	Jan. 31/87
amended.....		284/87	June 13/87
amended.....		285/87	June 13/87
amended.....		439/87	Aug. 8/87
amended.....		541/87	Oct. 10/87
amended.....		664/87	Dec. 19/87
amended.....		665/87	Dec. 19/87
amended.....		666/87	Dec. 19/87
amended.....		6/88	Jan. 30/88
amended.....		76/88	Feb. 20/88
amended.....		109/88	Mar. 12/88
amended.....		110/88	Mar. 12/88
amended.....		129/88	Mar. 19/88
amended.....		146/88	Apr. 2/88
amended.....		280/88	May 21/88
amended.....		300/88	May 28/88
amended.....		329/88	June 4/88
amended.....		339/88	June 11/88
amended.....		349/88	June 18/88
amended.....		363/88	June 25/88
amended.....		477/88	Aug. 13/88
amended.....		479/88	Aug. 13/88
amended.....		565/88	Oct. 1/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Township of Baldwin.....		*270/74	
revoked.....		602/86	Oct. 25/86
District of Thunder Bay, Geographic townships of Ashmore, Errington, Fulford and McQuesten.....		364/81	June 20/81
amended.....		441/83	July 23/83
amended.....		696/84	Nov. 17/84
amended.....		574/87	Oct. 31/87
amended.....		732/88	Dec. 31/88
Geographic townships of Gorham and Ware.....		*109/75	
amended.....		288/82	May 15/82
amended.....		664/82	Oct. 23/82
amended.....		690/82	Oct. 30/82
amended.....		796/82	Dec. 18/82
amended.....		362/83	July 9/83
amended.....		576/83	Oct. 1/83
amended.....		6/84	Jan. 21/84
amended.....		84/84	Feb. 25/84
amended.....		167/84	Mar. 31/84
amended.....		228/84	Apr. 28/84
amended.....		456/84	Aug. 4/84
amended.....		502/84	Aug. 18/84
amended.....		541/84	Sept. 8/84
amended.....		589/84	Sept. 29/84
amended.....		590/84	Sept. 29/84
amended.....		607/84	Oct. 6/84
amended.....		623/84	Oct. 20/84
amended.....		644/84	Oct. 27/84
amended.....		645/84	Oct. 27/84
amended.....		745/84	Dec. 8/84
amended.....		758/84	Dec. 15/84
amended.....		759/84	Dec. 15/84
amended.....		760/84	Dec. 15/84
amended.....		373/85	July 27/85
amended.....		443/85	Sept. 21/85
amended.....		447/85	Sept. 21/85
amended.....		481/85	Oct. 12/85
amended.....		530/85	Nov. 9/85
amended.....		658/85	Jan. 4/86
amended.....		63/86	Feb. 22/86
amended.....		64/86	Feb. 22/86
amended.....		65/86	Feb. 22/86
(revoked by 413/86)			
Geographic Township of Lyon.....		897/79	
Geographic townships of Pearson and Pelee.....		*219/75	
amended.....		442/83	July 23/83
amended.....		545/83	Sept. 10/83
amended.....		566/84	Sept. 15/84
amended.....		35/86	Feb. 15/86
amended.....		402/86	July 19/86
amended.....		603/86	Oct. 25/86
amended.....		714/86	Dec. 27/86
amended.....		178/87	Apr. 18/87

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		307/87	June 27/87
amended.....		622/87	Dec. 5/87
amended.....		145/88	Apr. 2/88
amended.....		403/88	July 16/88
Geographic Township of Upsala.....		296/80	
Geographic Township of Upsala.....		64/81	Feb. 28/81
amended.....		533/81	Aug. 29/81
Savant Lake Townsite (Registered Part M-56).....		131/80	
District of Timiskaming, Town of Charlton, the Township of Chamberlain and the geographic townships of Boston, Dack, Evanturel, Lebel, Marquis, Marter, McElroy, Otto and Pacaud.....	*671 of R.R.O. 1970		
amended.....	143/81	Mar.	28/81
amended.....	243/81	May	9/81
amended.....	355/81	June	13/81
amended.....	458/81	July	25/81
amended.....	490/81	Aug.	8/81
amended.....	527/81	Aug.	22/81
amended.....	539/81	Aug.	29/81
amended.....	172/82	Apr.	10/82
amended.....	208/82	Apr.	24/82
amended.....	403/82	June	26/82
amended.....	643/82	Oct.	16/82
amended.....	645/82	Oct.	16/82
amended.....	749/82	Nov.	27/82
amended.....	83/83	Feb.	19/83
amended.....	486/83	Aug.	20/83
amended.....	487/83	Aug.	20/83
amended.....	672/83	Nov.	5/83
amended.....	329/84	June	9/84
amended.....	438/84	July	21/84
amended.....	454/84	Aug.	4/84
amended.....	455/84	Aug.	4/84
amended.....	565/84	Sept.	15/84
amended.....	124/85	Apr.	6/85
revoked.....	370/85	July	20/85
Town of Charlton.....	*356/80		
Geographic Township of Haultain.....		467/80	
Municipality of Metropolitan Toronto, the Borough of Scarborough (now the City of Scarborough).....	* 20/74		
amended.....	431/85	Sept.	14/85
Regional Municipality of Durham, Town of Ajax.....	* 18/74		
revoked.....	523/85	Nov.	2/85

	R.R.O. 1980	O.Reg.	Date of Gazette
Town of Pickering.....		* 19/74	
amended.....	779/81	Dec.	9/81
amended.....	394/82	June	26/82
amended.....	160/83	Apr.	9/83
amended.....	195/83	Apr.	16/83
Township of Uxbridge (formerly the Township of Scott in the County of Ontario).....		*634/77	
Town of Whitby.....		*467/74	
revoked.....	694/88	Dec.	3/88
Regional Municipality of Haldimand-Norfolk, townships of Delhi and Norfolk (formerly in the Township of Middleton).....		*347/74	
Regional Municipality of Niagara, Township of West Lincoln (revoking Reg.).....		165/81	Apr. 4/81
Regional Municipality of Ottawa-Carleton, Township of Cumberland.....		*323/74	
amended.....	152/81	Apr.	4/81
amended.....	606/84	Oct.	4/84
Township of West Carleton (formerly in the Township of Fitzroy).....		670 of R.R.O. 1970	
Township of West Carleton (formerly in the Township of Fitzroy).....		*325/74	
revoked.....	720/84	Nov.	24/84
Regional Municipality of Waterloo, City of Cambridge (formerly in the Township of North Dumfries).....		535/79	
revoked.....	13/85	Feb.	2/85
Regional Municipality of York, Town of Markham.....		*104/72	
amended.....	125/81	Mar.	21/81
amended.....	207/81	Apr.	18/81
amended.....	349/81	June	13/81
amended.....	436/81	July	11/81
amended.....	444/81	July	18/81
amended.....	540/81	Sept.	5/81
amended.....	670/81	Oct.	24/81
amended.....	789/81	Dec.	12/81
amended.....	8/82	Jan.	30/82
amended.....	138/82	Mar.	27/82
amended.....	388/82	June	19/82
amended.....	663/82	Oct.	23/82
amended.....	770/82	Dec.	11/82
amended.....	850/82	Jan.	15/83
amended.....	737/83	Dec.	10/83
amended.....	747/83	Dec.	17/83
amended.....	57/84	Feb.	18/84
amended.....	540/84	Sept.	8/84
amended.....	563/85	Nov.	23/85
amended.....	416/86	Aug.	2/86

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		451/86	Aug. 16/86
amended.....		575/86	Oct. 11/86
amended.....		333/87	June 27/87
Town of Markham.....		269/81	May 16/81
revoked.....		317/82	May 29/82
Town of Richmond Hill.....		268/81	May 16/81
Town of Whitchurch-Stouffville.....		*101/72	
amended.....		369/81	June 20/81
amended.....		182/86	Apr. 19/86
amended.....		294/86	June 7/86
revoked.....		612/87	Dec. 5/87
Rules of Procedure			
- Consent Applications.....	786		
amended.....		467/81	July 25/81
amended.....		28/82	Feb. 13/82
amended.....		439/82	July 10/82
(revoked by 406/83)			
- Minor Variance Applications.....	787		
amended.....		466/81	July 25/81
amended.....		554/82	Aug. 28/82
(revoked by 447/83)			
Subdivision Control,			
County of Hastings - Plan No. 38.....	673 of R.R.O. 1970		
District of Algoma - Plan M-51.....		216/72	
District of Algoma - Plan R-812.....		357/80	
District of Cochrane - Plan M-13.....		402/72	
District of Kenora - Plans M-133			
and M-134.....		308/79	
amended.....		494/82	Aug. 7/82
District of Manitoulin - Plans 46			
and 49.....		711/81	Nov. 7/81
District of Nipissing - Plans M-66,			
M-251 and M-269.....	668 of R.R.O. 1970		
District of Thunder Bay - Plans 431			
and 619.....		362/75	
District of Thunder Bay - Plan M-56.....		343/79	
District of Thunder Bay - Plan M-103.....		221/80	
Withdrawal of Delegation of Authority			
of Minister under Section 53 of the			
Planning Act.....		785/82	Dec. 18/82
(revoked by 789/82)			

	R.R.O. 1980	O.Reg.	Date of Gazette
Withdrawal of Delegation of Authority of Minister under Section 53 of the Planning Act.....		789/82	Dec. 18/82
PLANNING ACT, 1983			
Delegation of Authority of Minister under Section 4 of the Planning Act, 1983 - Approvals under Subsection 298(11) of the <u>Municipal Act</u>		55/85	Feb. 16/85
Condominium Plans.....	475/83	Aug.	13/83
amended.....	250/86	May	24/86
amended.....	282/86	May	31/86
amended.....	737/86	Jan.	3/87
Condominium Plans.....	367/85	July	13/85
amended.....	256/86	May	24/86
amended.....	280/86	May	31/86
Condominium Plans.....	72/86	Mar.	1/86
amended.....	251/86	May	24/86
amended.....	281/86	May	31/86
Consents.....	474/83	Aug.	13/83
amended.....	104/84	Mar.	3/84
amended.....	693/84	Nov.	17/84
amended.....	38/86	Feb.	15/86
amended.....	758/86	Jan.	10/87
amended.....	516/87	Sept.	19/87
General.....	548/85	Nov.	16/85
General - Halton.....	400/88	July	9/88
General - Waterloo.....	668/88	Nov.	12/88
Official Plans.....	477/83	Aug.	13/83
Official Plans - Halton.....	399/88	July	9/88
Official Plans - Hamilton-Wentworth.....	661/86	Nov.	22/86
Subdivision Plans.....	476/83	Aug.	13/83
Subdivision Plans.....	366/85	July	13/85
Notice Requirements - Interim Control By-Laws.....	405/83	July	16/83
Official Plans and Community Improvement Plans.....	402/83	July	16/83
Removal of Holding Symbol from Zoning By-law.....	403/83	July	16/83
Zoning By-Laws.....	404/83	July	16/83
amended.....	535/84	Sept.	1/84
amended.....	125/88	Mar.	19/88

	R.R.O. 1980	O.Reg.	Date of Gazette
Planning Board Fees.....		481/83	Aug. 13/83
Rules of Procedure			
- Consent Applications.....		406/83	July 16/83
amended.....		715/86	Dec. 27/86
- Minor Variance Applications.....		447/83	July 30/83
Subdivision Control -			
District of Nipissing -			
Plan M-414.....		261/85	June 8/85
Plan M-418.....		266/85	June 15/85
District of Rainy River.....		447/86	Aug. 16/86
Withdrawal of Delegation of Authority of Minister under subsection 4(4) of the Planning Act, 1983.....		425/86	Aug. 16/86
Withdrawal of Minister's Delegation under Section 4 of the Planning Act, 1983 - Official Plans.....		177/87	Apr. 18/87
Zoning Areas -			
County of Oxford,			
Town of Ingersoll and Township of Southwest Oxford.....		498/86	Sept. 13/86
revoked.....		550/87	Oct. 17/87
District of Kenora,			
Geographic Township of Drayton.....		421/85	Sept. 7/85
Geographic Township of Pellatt.....		62/86	Feb. 22/86
Geographic Township of Southworth.....		628/86	Nov. 15/86
Geographic Township of Wainwright.....		734/84	Dec. 1/84
Geographic Township of Wainwright.....		3/86	Jan. 25/86
Part of the Sioux Lookout Planning Area.....		25/86	Feb. 8/86
amended.....		614/86	Nov. 1/86
amended.....		119/87	Mar. 21/87
amended.....		198/87	Apr. 25/87
amended.....		442/87	Aug. 15/87
amended.....		575/87	Oct. 31/87
amended.....		41/88	Feb. 13/88
amended.....		42/88	Feb. 13/88
amended.....		350/88	June 18/88
amended.....		364/88	June 25/88
amended.....		540/88	Sept. 10/88
amended.....		546/88	Sept. 17/88
amended.....		658/88	Nov. 12/88
amended.....		767/88	Jan. 7/89
Part of the Sioux Lookout Planning Area.....		26/86	Feb. 8/86

	R.R.O. 1980	O.Reg.	Date of Gazette
Territorial District of Kenora.....		662/83	Oct. 29/83
amended.....		471/84	Aug. 11/84
Territorial District of Kenora.....		663/83	Oct. 29/83
Territorial District of Kenora.....		753/84	Dec. 15/84
Territorial District of Kenora.....		450/85	Sept. 21/85
Territorial District of Kenora.....		377/86	July 12/86
Territorial District of Kenora.....		549/86	Sept. 27/86
amended.....		476/88	Aug. 13/88
Unorganized Parts of the Red Lake and Area Planning Area.....		85/84	Feb. 25/84
amended.....		174/87	Apr. 18/87
Unorganized Territory in the Territorial District of Kenora.....		1/86	Jan. 25/86
Unorganized Territory in the Territorial District of Kenora.....		561/88	Oct. 1/88
District of Nipissing, Geographic Township of Phelps.....		774/83	Dec. 31/83
Part of the District of Nipissing.....		580/86	Oct. 18/86
amended.....		75/88	Feb. 20/88
Part of the Districts of Nipissing and Sudbury.....		40/85	Feb. 9/85
amended.....		177/85	May 4/85
amended.....		371/85	July 27/85
amended.....		709/86	Dec. 20/86
amended.....		710/86	Dec. 20/86
amended.....		711/86	Dec. 20/86
amended.....		712/86	Dec. 20/86
amended.....		84/87	Mar. 7/87
amended.....		85/87	Mar. 7/87
amended.....		124/87	Mar. 28/87
amended.....		466/88	Aug. 6/88
Part of the Districts of Nipissing and Sudbury (see under District of Nipissing O. Reg. 40/85)			
District of Parry Sound, Part of the Geographic Township of Croft.....		579/87	Nov. 7/87
Part of the Geographic Township, of Spence.....		755/88	Jan. 7/89
District of Rainy River, Territorial District of Rainy River, Geographic Township of Watten.....		38/88	Feb. 13/88
Township of Emo.....		616/88	Oct. 22/88

	R.R.O. 1980	O.Reg.	Date of Gazette
District of Sudbury,			
Part of the District of Sudbury.....	22/87	Feb.	7/87
amended.....	7/88	Jan.	30/88
amended.....	88/88	Mar.	5/88
amended.....	89/88	Mar.	5/88
amended.....	221/88	Apr.	30/88
amended.....	478/88	Aug.	13/88
District of Thunder Bay,			
Geographic Township of Bomby.....	257/84	May	12/84
Geographic Township of Bomby.....	339/84	June	16/84
Geographic Township of Bomby.....	350/84	June	23/84
Geographic Township of Brothers.....	86/84	Feb.	25/84
Geographic Township of Pic.....	688/84	Nov.	17/84
amended.....	413/85	Aug.	31/85
amended.....	430/86	Aug.	16/86
Geographic Township of Upsala.....	606/87	Nov.	28/87
Territorial District of Thunder Bay....	340/84	June	16/84
Territorial District of Thunder Bay....	697/84	Nov.	17/84
Territorial District of Thunder Bay....	257/87	May	30/87
amended.....	315/88	June	4/88
amended.....	489/88	Aug.	13/88
Territorial District of Thunder Bay,			
Geographic Township of Gorham.....	413/86	Aug.	2/86
amended.....	465/87	Aug.	22/87
amended.....	506/87	Sept.	19/87
amended.....	720/87	Jan.	9/88
amended.....	108/88	Mar.	12/88
amended.....	264/88	May	14/88
Geographic Township of Ware.....	414/86	Aug.	2/86
amended.....	235/87	May	16/87
amended.....	509/87	Sept.	19/87
amended.....	236/88	May	7/88
Township of Terrace Bay.....	462/88	July	30/88
Territorial District of Thunder Bay, geographic townships of Bomby, Brothers, Bryant, Cecile, Knowles, Laberge, Lecours and McCron, and Part of the Unorganized Lands lying North of the geographic townships of Bomby, Brothers, Laberge, and lying West of Geographic Township of Bryant.....	698/85	Jan.	11/86
amended.....	260/87	May	30/87
District of Timiskaming,			
Geographic Township of Grenfell.....	647/83	Oct.	29/83
Geographic Township of Grenfell.....	679/83	Nov.	12/83

	R.R.O. 1980	O.Reg.	Date of Gazette	
Geographic Township of Otto.....		252/84	May	12/84
Geographic Township of Robillard.....		670/86	Dec.	6/86
Municipality of Englehart, Township of Evanturel.....		526/87	Sept.	26/87
revoked.....		635/88	Nov.	5/88
Regional Municipality of Peel, Town of Caledon.....		58/87	Feb.	21/87
Regional Municipality of Waterloo, City of Cambridge.....		60/86	Feb.	22/86
revoked.....		551/86	Oct.	4/86

PLANT DISEASES ACT

General..... 788

POLICE ACT

Arbitration..... 789

Equipment..... 790

amended.....	336/81	June	6/81
amended.....	816/82	Jan.	1/83
amended.....	364/84	June	23/84
amended.....	173/88	Apr.	16/88

General - Discipline..... 791

amended.....	74/84	Feb.	25/84
amended.....	702/85	Jan.	18/86

Members' Duty to
Prepare Informations..... 174/88 Apr. 16/88

Municipal Police Forces..... 792

Responsibility of Policing..... 793

amended.....	837/82	Jan.	8/83
amended.....	715/84	Nov.	17/84
amended.....	716/84	Nov.	17/84

POWER CORPORATION ACT

Electrical Safety Code..... 794
(revoked by 183/84)

Electrical Safety Code..... 183/84 Apr. 21/84

..... 795
(revoked by 384/82)

Fees..... 384/82 June 19/82
(revoked by 746/84)

Fees..... 746/84 Dec. 8/84
(revoked by 496/88)

	R.R.O. 1980	O.Reg.	Date of Gazette
Fees.....		496/88	Aug. 20/88
Pension and Insurance Plan.....	796		
amended.....		442/82	July 10/82
amended.....		173/83	Apr. 9/83
amended.....		530/83	Sept. 3/83
amended.....		764/83	Dec. 24/83
amended.....		802/84	Jan. 5/85
amended.....		432/85	Sept. 14/85
amended.....		141/86	Apr. 5/86
amended.....		339/86	June 28/86
amended.....		59/87	Feb. 21/87
amended.....		91/87	Mar. 7/87
amended.....		346/87	July 4/87
amended.....		510/87	Sept. 19/87
.....	797		
PREARRANGED FUNERAL SERVICES ACT			
Initial Arrangements.....	798		
amended.....		351/84	June 23/84
PREPAID SERVICES ACT, 1988			
General.....		567/88	Oct. 1/88
PRESCRIPTION DRUG COST REGULATION ACT, 1986			
General.....		690/86	Dec. 13/86
amended.....		745/86	Jan. 3/87
amended.....		80/87	Feb. 21/87
amended.....		184/87	Apr. 18/87
amended.....		272/87	June 6/87
amended.....		353/87	July 4/87
amended.....		354/87	July 4/87
amended.....		357/87	July 4/87
amended.....		514/87	Sept. 19/87
amended.....		662/87	Dec. 19/87
amended.....		8/88	Jan. 30/88
amended.....		257/88	May 14/88
amended.....		260/88	May 14/88
amended.....		262/88	May 14/88
amended.....		398/88	July 9/88
amended.....		678/88	Nov. 19/88
amended.....		743/88	Dec. 31/88
amended.....		745/88	Dec. 31/88
Notice to Patients.....		691/86	Dec. 13/86
PRIVATE HOSPITALS ACT			
General.....	799		
amended.....		628/81	Oct. 10/81
PRIVATE INVESTIGATORS AND SECURITY GUARDS ACT			
General.....	800		

	R.R.O. 1980	O.Reg.	Date of Gazette
PRIVATE VOCATIONAL SCHOOLS ACT			
General.....	801		
amended.....		499/81	Aug. 15/81
amended.....		184/83	Apr. 16/83
amended.....		194/88	Apr. 23/88
PROCEEDINGS AGAINST THE CROWN ACT			
Garnishment.....		723/88	Dec. 24/88
PROFESSIONAL ENGINEERS ACT (See now Professional Engineers Act, 1984)			
Consulting Engineers..... (revoked by 538/84)	802		
Designation of Specialists..... (revoked by 538/84)	803		
General..... (revoked by 538/84)	804		
Practice and Procedure for Hearings..... (revoked by 538/84)	805		
PROFESSIONAL ENGINEERS ACT, 1984			
General.....		538/84	Sept. 8/84
amended.....		809/84	Jan. 5/85
amended.....		96/85	Mar. 9/85
amended.....		157/85	Apr. 20/85
amended.....		57/86	Feb. 22/86
amended.....		420/86	Aug. 2/86
amended.....		421/86	Aug. 2/86
amended.....		88/87	Mar. 7/87
amended.....		365/87	July 11/87
amended.....		179/88	Apr. 16/88
PROVINCIAL COURT (CIVIL DIVISION) PROJECT ACT AND PROVINCIAL COURT (CIVIL DIVISION) ACT (See now Courts of Justice Act, 1984)			
Rules of the Provincial Court (Civil Division).....	806		
amended.....		732/81	Nov. 21/81
amended.....		284/82	May 15/82
amended.....		450/83	July 30/83
amended.....		453/83	July 30/83
amended.....		406/84	July 14/84
amended.....		685/84	Nov. 10/84
(revoked by 797/84)			

	R.R.O. 1980	O.Reg.	Date of Gazette	
PROVINCIAL COURTS ACT (See now <u>Courts of Justice Act, 1984</u>)				
Destruction of Records Made by Court Reporter..... (expired)		60/83	Feb.	12/83
Observation and Detention Homes..... (revoked by 550/85)	807			
Stenographic Reporters..... (expired)	812			
PROVINCIAL LAND TAX ACT				
Exemption..... (revoked by 411/86)	813			
Forms.....		303/83	June	4/83
amended.....		12/84	Jan.	28/84
amended.....		412/86	Aug.	2/86
General.....	814			
amended.....		508/83	Aug.	27/83
amended.....		549/83	Sept.	10/83
amended.....		79/85	Mar.	2/85
PROVINCIAL OFFENCES ACT				
Approval of Part II By-laws.....		429/87	Aug.	8/87
Approval of Part II By-laws.....		475/87	Aug.	29/87
Approval of Part II By-laws.....		568/87	Oct.	31/87
Approval of Part II By-laws.....		697/87	Jan.	2/88
Approval of Part II By-laws.....		698/87	Jan.	2/88
Approval of Part II By-laws.....		94/88	Mar.	5/88
Approval of Part II By-laws.....		347/88	June	18/88
Approval of Part II By-laws.....		435/88	July	23/88
Approval of Part II By-laws.....		500/88	Aug.	27/88
Approval of Part II By-laws.....		534/88	Sept.	3/88
Approval of Part II By-laws.....		647/88	Nov.	12/88
Approval of Part II By-laws.....		705/88	Dec.	17/88
Approval of Part II By-laws.....		739/88	Dec.	31/88
Costs.....	815			
amended.....		285/82	May	15/82
amended.....		614/85	Dec.	14/85
amended.....		508/87	Sept.	19/87

	R.R.O. 1980	O.Reg.	Date of Gazette
Extensions of Prescribed Times.....	816		
Fee for Late Payment of Fine.....		173/87	Apr. 18/87
Fine Option Program.....		142/83	Mar. 26/83
Parking Infractions.....		428/87	Aug. 8/87
amended.....		251/88	May 14/88
amended.....		421/88	July 16/88
Proceedings Commenced by Certificate of Offence.....	817		
amended.....		517/81	Aug. 15/81
amended.....		382/82	June 19/82
amended.....		686/82	Oct. 30/82
amended.....		713/82	Nov. 13/82
amended.....		766/82	Dec. 11/82
amended.....		33/83	Feb. 5/83
amended.....		65/85	Feb. 23/85
amended.....		161/85	Apr. 20/85
amended.....		271/85	June 15/85
amended.....		331/85	July 6/85
amended.....		356/85	July 13/85
amended.....		512/85	Oct. 26/85
amended.....		513/85	Oct. 26/85
amended.....		514/85	Oct. 26/85
amended.....		201/86	Apr. 26/86
amended.....		457/86	Aug. 16/86
amended.....		460/86	Aug. 16/86
amended.....		572/86	Oct. 11/86
amended.....		674/86	Dec. 6/86
amended.....		172/87	Apr. 18/87
amended.....		430/87	Aug. 8/87
amended.....		238/88	May 7/88
amended.....		250/88	May 14/88
amended.....		420/88	July 16/88
Rules of Practice and Procedure on Appeals in the Court of Appeal under the Provincial Offences Act.....	818		
Rules of Practice and Procedure on Appeals in the District Court and the Provincial Court (Criminal Division) under Section 99 of the Act.....	819		
Rules of Practice and Procedure on Appeals in the Provincial Court (Criminal Division) under Section 118 of the Act.....	820		
PROVINCIAL PARKS ACT			
Designation of Parks.....	821		
amended.....		279/81	May 23/81
amended.....		429/82	July 3/82
amended.....		768/82	Dec. 11/82
amended.....		154/83	Apr. 30/83
amended.....		220/83	Apr. 30/83
amended.....		343/83	June 25/83

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		278/84	July 2/84
amended.....		68/84	Feb. 12/84
amended.....		69/84	Feb. 19/84
amended.....		129/84	Mar. 17/84
amended.....		152/84	Mar. 24/84
amended.....		187/84	Apr. 14/84
amended.....		409/84	July 14/84
amended.....		410/84	July 14/84
amended.....		629/84	Oct. 20/84
amended.....		680/84	Nov. 10/84
amended.....		45/85	Feb. 16/85
amended.....		81/85	Mar. 3/85
amended.....		279/85	June 17/85
amended.....		493/85	Oct. 10/85
amended.....		52/86	Feb. 18/86
amended.....		566/86	Oct. 11/86
amended.....		639/87	Dec. 10/87
amended.....		675/87	Dec. 28/87
General.....	822		
amended.....		251/81	May 16/81
amended.....		188/82	Apr. 10/82
amended.....		191/82	Apr. 10/82
amended.....		569/82	Sept. 4/82
amended.....		612/82	Sept. 18/82
amended.....		211/83	Apr. 14/83
amended.....		344/83	June 27/83
amended.....		644/83	Oct. 23/83
amended.....		128/84	Mar. 17/84
amended.....		188/84	Apr. 14/84
amended.....		546/84	Sept. 2/84
amended.....		702/84	Nov. 17/84
amended.....		783/84	Dec. 27/84
amended.....		47/85	Feb. 16/85
amended.....		147/85	Apr. 20/85
amended.....		282/85	June 18/85
amended.....		492/85	Oct. 17/85
amended.....		534/85	Nov. 2/85
amended.....		9/86	Feb. 1/86
amended.....		51/86	Feb. 15/86
amended.....		338/86	June 28/86
amended.....		400/86	July 19/86
amended.....		424/86	Aug. 16/86
amended.....		167/87	Apr. 18/87
amended.....		500/87	Sept. 12/87
amended.....		640/87	Dec. 19/87
amended.....		87/88	Mar. 5/88
amended.....		196/88	Apr. 23/88
Guides in Quetico Provincial Park.....	823		
Mining in Provincial Parks.....		345/83	June 25/83
amended.....		46/85	Feb. 16/85
amended.....		82/85	Mar. 9/85
amended.....		281/85	June 15/85
Mining - Ojibway Prairie Provincial Nature Reserve.....	824		

	R.R.O. 1980	O.Reg.	Date of Gazette
PSYCHOLOGISTS REGISTRATION ACT			
General.....	825		
amended.....		227/81	Apr. 25/81
amended.....		255/83	May 21/83
amended.....		661/84	Nov. 3/84
amended.....		225/85	June 1/85
amended.....		249/87	May 30/87
amended.....		448/87	Aug. 15/87
amended.....		136/88	Mar. 26/88
PUBLIC ACCOUNTANCY ACT			
Licence Fee.....	826		
PUBLIC COMMERCIAL VEHICLES ACT			
Carrying Goods in Bond.....	827		
amended.....		87/86	Mar. 8/86
amended.....		618/86	Nov. 1/86
Conditions of Carriage - Freight Forwarders.....	828		
General Freight Carriers.....	829		
Livestock Carriers.....	830		
Used Household Goods Carriers.....	831		
Extending Validity of Public Commercial Vehicle Licences..... (expired)		206/81	Apr. 18/81
Extending Validity of Public Commercial Vehicle Licences..... (expired)		84/82	Mar. 6/82
Extending Validity of Public Commercial Vehicle Licences..... (expired)		86/83	Feb. 26/83
Extending Validity of Public Commercial Vehicle Licences		123/84	Mar. 10/84
Extending Validity of Public Commercial Vehicle Licences.....		97/85	Mar. 16/85
General.....	832		
amended.....		205/81	Apr. 18/81
amended.....		663/81	Oct. 24/81
amended.....		778/81	Dec. 5/81
amended.....		88/86	Mar. 8/86
amended.....		171/86	Apr. 12/86
amended.....		98/88	Mar. 5/88
Intercompany Exemption.....		76/82	Mar. 6/82
amended.....		167/86	Apr. 12/86

	R.R.O. 1980	O.Reg.	Date of Gazette
Section 10b - Certificates.....		172/86	Apr. 12/86
amended.....		437/86	Aug. 16/86
amended.....		291/87	June 13/87
PUBLIC HEALTH ACT			
(See now <u>Laboratory and Specimen</u>			
<u>Collection Centre Licensing Act</u>			
and see <u>Health Protection and</u>			
<u>Promotion Act, 1983)</u>			
Application of Schedule B to the			
Public Health Act to Unorganized			
Territory.....	833		
(expired)			
Camps in Unorganized Territory.....	834		
(revoked by 193/84)			
Capital Grants for Community Health			
Centre.....	835		
(revoked by 234/84)			
Communicable Diseases.....	836		
(revoked by 292/84)		219/84	Apr. 28/84
Communicable Diseases.....	837		
(revoked by 292/84)		131/81	Mar. 28/81
(revoked by 292/84)		781/81	Dec. 5/81
(expired)			
Designation of Communicable Diseases.....	838		
(revoked by 161/84)		210/83	Apr. 23/83
(revoked by 161/84)		496/83	Aug. 20/83
Designation of Human Ailments.....	839		
(expired)			
Food Premises.....	840		
(revoked by 243/84)			
Grants to Boards of Health.....	841		
amended.....		174/82	Apr. 10/82
amended.....		346/84	June 16/84
(revoked by 382/84)			
Health Units - Areas that may be			
Included in Health Units.....	842		
(revoked by 236/84)			
Health Units - General.....	843		
amended.....		130/81	Mar. 28/81
amended.....		394/81	June 27/81
amended.....		747/81	Nov. 28/81
amended.....		560/82	Aug. 28/82
amended.....		712/82	Nov. 13/82
amended.....		587/83	Oct. 1/83
amended.....		345/84	June 16/84
(revoked by 235/84)			

	R.R.O. 1980	O.Reg.	Date of Gazette
Indigent Patients.....	844		
revoked.....		748/81	Nov. 28/81
Laboratories (See now <u>Laboratory and Specimen Collection Centre Licensing Act</u>)			
Pasteurization Areas.....	846		
(revoked by 243/84)			
Pasteurization Plants.....	847		
(revoked by 243/84)			
Plumbing in Unorganized Territory.....	848		
(Expired)			
Public Swimming Pools.....	849		
amended.....		669/81	Oct. 24/81
amended.....		561/82	Aug. 28/82
(revoked by 381/84)			
Qualifications of Medical Officers of Health, Public Health Inspectors and Public Health Nurses.....	850		
(revoked by 164/84)			
Recreational Camps.....	851		
(revoked by 242/84)			
Sanitary Code for Unorganized Territory.....	852		
(Expired)			
Slaughterhouses and Meat Processing Plants.....	853		
amended.....		749/81	Nov. 28/81
(revoked by 293/84)			
Specimen Collection Centres (See now <u>Laboratory and Specimen Collection Centre Licensing Act</u>)			
X-Ray Safety.....	855		
amended.....		45/84	Feb. 11/84
(superseded) See now O. Reg. 344/84 made under <u>Healing Arts Radiation Protection Act</u>)			

PUBLIC HOSPITALS ACT

Capital Grants for the Amalgamation of Hospital Services.....	856
Capital Grants for Ambulance Facilities.....	857
Capital Grants for Capital Expenditures that will Produce Savings in Operating Costs.....	858
Capital Grants for Hospital Construction and Renovation.....	859

	R.R.O. 1980	O.Reg.	Date of Gazette
Capital Grants for Local Rehabilitation and Crippled Children's Centres.....	860		
Capital Grants for Regional Rehabilitation Centres.....	861		
Capital Grants for Teaching Hospitals.....	862		
Classification of Hospitals.....	863		
amended.....	32/83	Feb.	5/83
amended.....	705/83	Nov.	19/83
amended.....	639/84	Oct.	27/84
amended.....	674/84	Nov.	10/84
amended.....	695/84	Nov.	17/84
amended.....	353/85	July	6/85
amended.....	354/85	July	6/85
amended.....	569/85	Nov.	23/85
amended.....	110/87	Mar.	21/87
amended.....	282/87	June	13/87
amended.....	436/87	Aug.	8/87
amended.....	615/88	Oct.	15/88
Grants to Certain Hospitals for Laboratory Investigations.....	864		
amended.....	580/81	Sept.	12/81
Hospital Management.....	865		
amended.....	77/88	Feb.	27/88
(revoked by 518/88)			
Hospital Management.....	518/88	Sept.	3/88
Oil Conversion Grants.....	229/82	May	1/82
Special Grant - Hawkesbury and District General Hospital.....	43/81	Feb.	21/81
James Bay General Hospital.....	445/83	July	30/83
amended.....	497/85	Oct.	26/85
Management of Biomedical Waste.....	461/86	Aug.	16/86
Public Hospitals in Ontario.....	170/81	Apr.	11/81
Public Hospitals in Ontario.....	184/86	Apr.	19/86
PUBLIC INSTITUTIONS INSPECTION ACT			
Fees and Allowances to Panel Members.....	866		
PUBLIC LANDS ACT			
Crown Land Camping Permit.....	208/84	Apr.	28/84
Land Use Permits.....	867		
Restricted Areas - District of Algoma.....	868		

	R.R.O. 1980	O.Reg.	Date of Gazette	
District of Kenora.....	869			
District of Kenora.....	870			
District of Kenora, Patricia Portion.....	871			
Districts of Manitoulin and Sudbury.....	872	844/81	Jan.	2/82
revoked				
District of Nipissing.....	873			
District of Nipissing.....	874	53/87	Feb.	21/87
revoked.....				
District of Parry Sound.....	875			
District of Rainy River.....	876			
District of Sudbury - Townships of Kapland and Wakami.....	877			
District of Thunder Bay - Townships of Blackwell, Conacher, Forbes, Goldie, Hagey, Haines, Laurie and the Dawson Road Lots.....	878			
(revoked by 278/87)				
District of Thunder Bay - Townships of Conacher, Hagey and Haines and Unorganized Territory West of Township of Haines.....		278/87	June	6/87
Sale and Lease of Public Lands.....	879			
amended.....		188/83	Apr.	16/83
PUBLIC LIBRARIES ACT				
(See now Public Libraries Act, 1984)				
Grants for Public Libraries.....	880			
(revoked by 160/81)				
Grants for Public Libraries.....		160/81	Apr.	4/81
(revoked by 290/82)				
Grants for Public Libraries.....		290/82	May	15/82
amended.....		354/82	June	12/82
amended.....		470/83	Aug.	6/83
amended.....		617/84	Oct.	20/84
(revoked by 100/85)				
PUBLIC LIBRARIES ACT, 1984				
Grants for Public Libraries.....		100/85	Mar.	16/85
PUBLIC SECTOR PRICES AND COMPENSATION REVIEW ACT, 1983				
General.....		131/84	Mar.	17/84

	R.R.O. 1980	O.Reg.	Date of Gazette
PUBLIC SERVICE ACT			
General.....	881		
amended.....		77/81	Mar. 7/81
amended.....		162/81	Apr. 4/81
amended.....		26/82	Feb. 13/82
amended.....		328/82	June 5/82
amended.....		96/83	Mar. 5/83
amended.....		260/83	May 21/83
amended.....		286/83	May 28/83
amended.....		38/84	Feb. 11/84
amended.....		431/84	July 21/84
amended.....		686/84	Nov. 17/84
amended.....		88/85	Mar. 9/85
amended.....		246/85	June 8/85
amended.....		337/85	July 6/85
amended.....		24/86	Feb. 8/86
amended.....		533/86	Sept. 20/86
amended.....		36/87	Feb. 14/87
amended.....		154/87	Apr. 11/87
amended.....		304/87	June 20/87
amended.....		523/87	Sept. 19/87
amended.....		667/87	Dec. 19/87
amended.....		610/88	Oct. 15/88
PUBLIC SERVICE SUPERANNUATION ACT			
Designation - Re Subsection 29(2) of the Act.....		490/88	Aug. 13/88
Designations under Section 31 of the Act.....	882		
Designations - General.....	883		
amended.....		502/83	Aug. 27/83
amended.....		247/85	June 8/85
amended.....		308/85	June 22/85
amended.....		56/86	Feb. 22/86
amended.....		340/86	June 28/86
Low Pensions.....		203/87	May 2/87
Salary.....		248/85	June 8/85
Supplementary Benefit - Deputy Ministers Service.....		59/85	Feb. 16/85
revoked.....		727/86	Dec. 27/86
Supplementary Benefit - Ontario Provincial Police Force Early Retirement.....		38/85	Feb. 9/85
Supplementary Benefit for Retiring Employees.....		223/87	May 9/87
PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT			
Intersections in Unorganized Territory.....	884		
Permits.....	885		
Use of Rest, Service or Other Areas.....	886		

	R.R.O. 1980	O.Reg.	Date of Gazette
PUBLIC TRUSTEE ACT			
General.....	887		
amended.....		827/81	Dec. 26/81
amended.....		48/82	Feb. 20/82
amended.....		256/83	May 21/83
amended.....		375/83	July 9/83
amended.....		620/83	Oct. 15/83
amended.....		244/84	May 5/84
amended.....		683/84	Nov. 10/84
amended.....		95/85	Mar. 9/85
amended.....		101/85	Mar. 16/85
amended.....		600/85	Dec. 14/85
amended.....		369/86	July 12/86
amended.....		293/87	June 13/87
amended.....		178/88	Apr. 16/88
amended.....		533/88	Sept. 3/88
amended.....		550/88	Sept. 17/88
amended.....		662/88	Nov. 12/88
PUBLIC VEHICLES ACT			
General.....	888		
amended.....		65/81	Feb. 28/81
amended.....		399/81	July 4/81
amended.....		662/81	Oct. 24/81
amended.....		398/82	June 26/82
amended.....		379/84	June 30/84
amended.....		397/86	July 12/86
amended.....		652/87	Dec. 19/87
R			
RACE TRACKS TAX ACT			
Rate of Tax.....	889		
amended.....		180/81	Apr. 11/81
amended.....		548/81	Sept. 5/81
amended.....		40/82	Feb. 13/82
amended.....		507/83	Aug. 27/83
RACE TRACKS TAX ACT, 1988			
Forms.....		731/88	Dec. 31/88
RADIOLOGICAL TECHNICIANS ACT			
General.....	890		
amended.....		479/82	July 31/82
amended.....		818/84	Jan. 19/85
amended.....		510/85	Oct. 26/85
amended.....		76/86	Mar. 8/86
amended.....		202/86	Apr. 26/86
amended.....		416/88	July 16/88

	R.R.O. 1980	O.Reg.	Date of Gazette
REAL ESTATE AND BUSINESS BROKERS ACT			
General.....	891		
amended.....		705/81	Nov. 7/81
amended.....		23/82	Feb. 6/82
amended.....		618/83	Oct. 15/83
amended.....		87/84	Mar. 3/84
amended.....		198/84	Apr. 14/84
amended.....		274/86	May 24/86
amended.....		402/88	July 16/88
amended.....		552/88	Sept. 17/88
amended.....		719/88	Dec. 17/88
RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT			
Application of Act.....	892		
RECIPROCAL ENFORCEMENT OF MAINTENANCE ORDERS ACT (See now <u>Reciprocal Enforcement of</u> <u>Maintenance Orders Act, 1982</u>)			
RECIPROCAL ENFORCEMENT OF MAINTENANCE ORDERS ACT, 1982			
Reciprocating States.....	893		
amended.....		212/81	Apr. 25/81
amended.....		245/84	May 5/84
REGIONAL MUNICIPALITY OF DURHAM ACT			
City of Oshawa - Representation on Regional Council.....		409/85	Aug. 24/85
Order of the Minister-Transitional Mill Rates.....		606/82	Sept. 25/82
Order of the Minister-Transitional Mill Rates.....		209/83	Apr. 23/83
Town of Ajax - Representation on Regional Council.....		644/87	Dec. 19/87
REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK ACT			
Equalization of Assessments made under Section 82 of The Regional Municipality of Haldimand-Norfolk Act.....		435/87	Aug. 8/87
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ACT			
Alteration of Status - Township of Flamborough.....		814/84	Jan. 5/85
Order of the Minister..... (this Reg. amends O.Reg. 148/78 see Schedule to R.R.O., 1980)		353/83	June 25/83
Order - Town of Stony Creek.....		781/83	Dec. 31/83

	R.R.O. 1980	O.Reg.	Date of Gazette
--	----------------	--------	--------------------

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON ACT

City of Gloucester - Representation on Regional Council.....		475/85	Oct. 5/85
---	--	--------	-----------

REGIONAL MUNICIPALITY OF SUDBURY ACT

Equalization of Assessments made under Section 74 of The Regional Municipality of Sudbury Act.....		376/86	July 12/86
Order of the Minister-Rates of Taxation.....		392/82	June 26/82
Order of the Minister-Transitional Mill Rates.....		607/82	Sept. 25/82
Order of the Minister-Transitional Mill Rates.....		501/83	Aug. 27/83
Order of the Minister-Transitional Mill Rates.....		445/84	July 28/84
Order of the Minister-Transitional Mill Rates.....		265/85	June 8/85
Order of the Minister-Transitional Mill Rates.....		357/85	July 13/85

REGIONAL MUNICIPALITY OF WATERLOO ACT

City of Cambridge - Representation on Regional Council.....		276/85	June 15/85
Equalization of Assessments Made Under Section 121 of The Regional Municipality of Waterloo Act.....		407/88	July 16/88
Township of Woolwich - Representation on Regional Council.....		343/85	July 6/85

REGIONAL MUNICIPALITY OF YORK ACT

Township of Georgina - Alteration of Status.....		252/86	May 24/86
---	--	--------	-----------

REGISTERED INSURANCE BROKERS ACT

Composition and Election of Council.....		447/84	July 28/84
Exemption..... (revoked by 636/82)		636/81	Oct. 17/81
Exemptions.....		636/82	Oct. 9/82
General.....		637/81	Oct. 17/81
amended.....		624/82	Oct. 9/82
amended.....		447/84	July 28/84
amended.....		698/84	Nov. 17/84

	R.R.O. 1980	O.Reg.	Date of Gazette
REGISTRY ACT			
Canada Land.....	894		
amended.....		168/83	Apr. 9/83
Certification Areas.....		825/81	Dec. 26/81
Fees.....	895		
amended.....		807/81	Dec. 19/81
amended.....		323/83	June 11/83
amended.....		136/84	Mar. 17/84
amended.....		235/85	June 1/85
amended.....		266/86	May 24/86
amended.....		656/87	Dec. 19/87
Forms and Prescriptions.....	896		
amended.....		512/81	Aug. 15/81
amended.....		584/81	Sept. 12/81
amended.....		638/81	Oct. 17/81
amended.....		324/82	May 29/82
amended.....		351/82	June 12/82
amended.....		171/83	Apr. 9/83
amended.....		279/83	May 21/83
amended.....		559/83	Sept. 17/83
amended.....		787/83	Jan. 7/84
amended.....		285/84	May 19/84
amended.....		552/84	Sept. 8/84
amended.....		578/84	Sept. 29/84
amended.....		135/85	Apr. 20/85
amended.....		236/85	June 1/85
amended.....		240/85	June 1/85
amended.....		453/85	Sept. 28/85
amended.....		213/86	May 3/86
amended.....		226/86	May 10/86
amended.....		81/87	Feb. 28/87
amended.....		82/87	Feb. 28/87
amended.....		361/87	July 4/87
amended.....		524/87	Sept. 19/87
amended.....		586/87	Nov. 14/87
amended.....		668/87	Dec. 26/87
amended.....		374/88	July 2/88
Hours.....		147/87	Apr. 11/87
Hours.....		268/87	June 6/87
Hours.....		554/87	Oct. 17/87
Hours.....		244/88	May 7/88
Office Hours.....		692/88	Dec. 3/88
Registry Divisions.....	897		
(revoked by 551/81)			
Registry Divisions.....		551/81	Sept. 5/81
amended.....		167/83	Apr. 9/83
amended.....		448/84	July 28/84
amended.....		153/85	Apr. 20/85
amended.....		152/85	Apr. 20/85

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		538/85	Nov. 9/85
amended.....		162/86	Apr. 12/86
amended.....		65/88	Feb. 20/88
Surveys, Plans and Descriptions of Land.....	898		
amended.....		552/81	Sept. 5/81
amended.....		169/83	Apr. 9/83
amended.....		577/84	Sept. 29/84
amended.....		34/85	Feb. 9/85
amended.....		638/85	Dec. 21/85
amended.....		190/87	Apr. 18/87
Transfer of Functions.....		414/87	Aug. 1/87
REGULATIONS ACT			
General.....	899		
amended.....		592/83	Oct. 15/83
RENTAL HOUSING PROTECTION ACT, 1986			
General.....		434/86	Aug. 16/86
amended.....		570/86	Oct. 11/86
amended.....		594/86	Oct. 18/86
amended.....		605/86	Oct. 25/86
amended.....		672/86	Dec. 6/86
amended.....		29/87	Feb. 7/87
amended.....		116/87	Mar. 21/87
amended.....		130/87	Mar. 28/87
amended.....		220/87	May 9/87
amended.....		378/87	July 11/87
amended.....		487/87	Sept. 12/87
amended.....		634/87	Dec. 12/87
amended.....		635/87	Dec. 12/87
amended.....		700/87	Jan. 2/88
amended.....		274/88	May 21/88
RESIDENTIAL RENT REGULATION ACT, 1986			
General.....		749/86	Jan. 3/87
amended.....		9/87	Jan. 31/87
amended.....		143/87	Apr. 4/87
amended.....		211/87	May 9/87
amended.....		233/87	May 16/87
amended.....		305/87	June 27/87
amended.....		306/87	June 27/87
amended.....		336/87	June 27/87
amended.....		359/87	July 4/87
amended.....		476/87	Aug. 29/87
amended.....		481/87	Aug. 29/87
amended.....		682/87	Dec. 26/87
amended.....		133/88	Mar. 26/88
amended.....		343/88	June 18/88
amended.....		507/88	Aug. 27/88
Regions.....		4/87	Jan. 31/87
amended.....		215/87	May 9/87

	R.R.O. 1980	O.Reg.	Date of Gazette
Rent Determination.....		93/87	Mar. 14/87
amended.....		142/87	Apr. 4/87
amended.....		210/87	May 9/87
(revoked by 440/87)			
Rent Determination.....		440/87	Aug. 8/87
amended.....		459/87	Aug. 15/87
amended.....		496/87	Sept. 12/87
amended.....		498/87	Sept. 12/87
amended.....		518/87	Sept. 19/87
amended.....		450/88	July 30/88
amended.....		451/88	July 30/88
amended.....		494/88	Aug. 20/88
amended.....		589/88	Oct. 8/88
Rent Registry.....		10/87	Jan. 31/87
amended.....		234/87	May 16/87
amended.....		480/87	Aug. 29/87
amended.....		497/87	Sept. 12/87
amended.....		517/87	Sept. 19/87
amended.....		449/88	July 30/88
Rental Housing Maintenance Standards.....		768/88	Jan. 14/89
Suite Hotel.....		184/88	Apr. 23/88
RESIDENTIAL TENANCIES ACT			
Exemption.....	900		
revoked.....		691/84	Nov. 17/84
Fees and Forms.....	901		
amended.....		824/81	Dec. 26/81
amended.....		153/83	Apr. 2/83
Regions.....	902		
RETAIL SALES TAX ACT			
Definitions.....		52/81	Feb. 21/81
Definitions by Minister.....	903		
amended.....		53/81	Feb. 21/81
amended.....		111/81	Mar. 14/81
amended.....		141/81	Mar. 28/81
amended.....		606/81	Sept. 26/81
amended.....		837/81	Jan. 2/82
amended.....		868/81	Jan. 19/82
amended.....		55/82	Feb. 20/82
amended.....		273/82	May 8/82
amended.....		303/82	May 22/82
amended.....		590/82	Sept. 18/82
amended.....		737/82	Nov. 20/82
amended.....		821/82	Jan. 1/83
amended.....		126/83	Mar. 26/83
amended.....		238/83	May 14/83
amended.....		568/83	Sept. 24/83
amended.....		7/84	Jan. 21/84
amended.....		165/84	Mar. 31/84

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		222/84	Apr. 28/84
amended.....		604/84	Oct. 6/84
amended.....		723/84	Nov. 24/84
amended.....		186/85	May 11/85
amended.....		543/86	Sept. 20/86
amended.....		32/87	Feb. 14/87
amended.....		396/87	July 18/87
amended.....		690/88	Dec. 3/88
Extension of Delivery Date for Furniture..... (expired)		382/81	June 20/81
General.....	904		
amended.....		91/81	Mar. 14/81
amended.....		92/81	Mar. 14/81
amended.....		140/81	Mar. 28/81
amended.....		178/81	Apr. 11/81
amended.....		381/81	June 20/81
amended.....		476/81	Aug. 1/81
amended.....		586/81	Sept. 12/81
amended.....		619/81	Oct. 10/81
amended.....		718/81	Nov. 14/81
amended.....		813/81	Dec. 19/81
amended.....		41/82	Feb. 13/82
amended.....		167/82	Apr. 3/82
amended.....		168/82	Apr. 3/82
amended.....		232/82	May 1/82
amended.....		244/82	May 1/82
amended.....		249/82	May 1/82
amended.....		342/82	June 12/82
amended.....		634/82	Oct. 9/82
amended.....		731/82	Nov. 20/82
amended.....		334/83	June 18/83
amended.....		503/83	Aug. 27/83
amended.....		619/83	Oct. 15/83
amended.....		8/84	Jan. 21/84
amended.....		265/84	May 12/84
amended.....		591/84	Sept. 29/84
amended.....		714/84	Nov. 17/84
amended.....		311/85	June 22/85
amended.....		232/86	May 17/86
amended.....		449/86	Aug. 16/86
amended.....		655/86	Nov. 22/86
amended.....		128/87	Mar. 28/87
amended.....		276/87	June 6/87
amended.....		403/87	July 25/87
amended.....		438/87	Aug. 8/87
amended.....		504/87	Sept. 12/87
amended.....		631/87	Dec. 12/87
amended.....		2/88	Jan. 23/88
amended.....		639/88	Nov. 5/88
amended.....		766/88	Jan. 7/89
Rebate for Eligible 1981 Motor Vehicles.....		755/81	Nov. 28/81
Tax Rebate for New Light Trucks or Vans..... (this Reg. amends O.Reg. 1010/80 see Schedule to R.R.O. 1980)		177/81	Apr. 11/81

R.R.O.
1980

O.Reg.

Date of
Gazette

RIDING HORSE ESTABLISHMENTS ACT

General..... 905

S

ST. CLAIR PARKWAY COMMISSION ACT

General..... 906

amended..... 149/81 Apr. 4/81

amended..... 383/83 July 9/83

amended..... 259/84 May 12/84

amended..... 215/85 June 1/85

amended..... 151/86 Apr. 12/86

amended..... 261/87 May 30/87

amended..... 168/88 Apr. 16/88

ST. LAWRENCE PARKS COMMISSION ACT

Controlled Access Highways..... 907

Highway Vested in the Commission..... 908

Parks..... 909

amended..... 31/81 Feb. 14/81

amended..... 3/82 Jan. 23/82

amended..... 130/82 Mar. 20/82

amended..... 225/83 Apr. 30/83

amended..... 260/84 May 12/84

amended..... 212/85 June 1/85

amended..... 198/86 Apr. 26/86

amended..... 426/86 Aug. 16/86

amended..... 263/87 May 30/87

amended..... 180/88 Apr. 16/88

SECURITIES ACT

General..... 910

amended..... 84/81 Mar. 14/81

amended..... 224/81 Apr. 25/81

amended..... 238/81 May 2/81

amended..... 637/82 Oct. 9/82

amended..... 649/82 Oct. 16/82

amended..... 808/82 Dec. 25/82

amended..... 180/83 Apr. 16/83

amended..... 205/84 Apr. 14/84

amended..... 286/84 May 19/84

amended..... 420/85 Sept. 7/85

amended..... 686/85 Jan. 4/86

amended..... 687/85 Jan. 4/86

amended..... 214/86 May 3/86

amended..... 383/86 July 12/86

amended..... 19/87 Feb. 7/87

amended..... 345/87 July 4/87

amended..... 374/87 July 11/87

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		82/88	Feb. 27/88
amended.....		448/88	July 30/88
SEED POTATOES ACT			
General.....	911		
SHEEP AND WOOL MARKETING ACT, 1981			
Licence Fees.....		146/82	Mar. 27/82
amended.....		68/83	Feb. 12/83
amended.....		515/83	Aug. 27/83
revoked.....		559/85	Nov. 16/85
SHORELINE PROPERTY ASSISTANCE ACT			
General.....	912		
amended.....		276/81	May 23/81
amended.....		213/82	Apr. 24/82
amended.....		445/85	Sept. 21/85
amended.....		590/86	Oct. 18/86
SMALL BUSINESS DEVELOPMENT CORPORATIONS ACT			
Additional Material to be Furnished with Grant Applications.....		24/84	Feb. 4/84
Delegation of Powers.....	913		
amended.....		164/83	Apr. 9/83
amended.....		297/86	June 7/86
amended.....		158/87	Apr. 11/87
amended.....		470/87	Aug. 29/87
Forms.....	914		
amended.....		392/83	July 9/83
amended.....		157/84	Mar. 24/84
amended.....		528/86	Sept. 20/86
General.....	915		
amended.....		587/81	Sept. 12/81
amended.....		42/82	Feb. 13/82
amended.....		300/83	June 4/83
amended.....		506/83	Aug. 27/83
amended.....		25/84	Feb. 4/84
amended.....		632/84	Oct. 20/84
amended.....		410/86	Aug. 2/86
amended.....		620/86	Nov. 8/86
amended.....		216/87	May 9/87
amended.....		632/87	Dec. 12/87
Terms and Conditions Relating to Beneficial Ownership of Equity Shares.....		299/83	June 4/83
SMALL CLAIMS COURTS ACT (See now Courts of Justice Act, 1984)			
Courts.....	916		
amended.....		373/83	July 9/83
amended.....		374/83	July 9/83

	R.R.O. 1980	O.Reg.	Date of Gazette	
amended.....		127/84	Mar.	17/84
amended.....		150/84	Mar.	24/84
(revoked by 159/85)				
Rules of Procedure.....	917			
amended.....		540/82	Aug.	21/82
amended.....		452/83	July	30/83
amended.....		392/84	July	7/84
(revoked by 797/84)				
Small Claims Courts Judges.....	918			
amended.....		112/81	Mar.	14/81
amended.....		425/81	July	11/81
amended.....		178/82	Apr.	10/82
amended.....		575/82	Sept.	11/82
revoked.....		370/83	July	9/83
Tariff of Fees.....	919			
amended.....		731/81	Nov.	21/81
amended.....		286/82	May	15/82
amended.....		451/83	July	30/83
amended.....		407/84	July	14/84
amended.....		684/84	Nov.	10/84
(revoked by 797/84)				
STOCK YARDS ACT				
Management.....	920			
SUCCESSION DUTY ACT				
General.....		43/82	Feb.	13/82
amended.....		250/82	May	1/82
amended.....		505/83	Aug.	27/83
amended.....		700/88	Dec.	10/88
(these Regs. amend Reg. 804 of R.R.O. 1970 - See Schedule to R.R.O. 1980)				
SUCCESSION DUTY ACT SUPPLEMENTARY PROVISIONS ACT, 1980				
Delegation of Authority.....		816/80		
amended.....		701/88	Dec.	10/88
SUPERANNUATION ADJUSTMENT BENEFITS ACT				
Designation and Review Committee - Caucus Employees Retirement Plan.....	921			
Public Service Superannuation Fund.....	922			
Retirement Pension Plan of Ryerson Polytechnical Institute.....	923			
Teachers' Superannuation Fund.....	924			

	R.R.O. 1980	O.Reg.	Date of Gazette
SURROGATE COURTS ACT			
Rules of Practice - Surrogate Court.....	925		
amended.....		845/82	Jan. 8/83
amended.....		501/84	Aug. 18/84
amended.....		213/88	Apr. 23/88
SURVEYORS ACT			
General.....	926		
(revoked by 726/88)			
SURVEYORS ACT, 1987			
General.....		726/88	Dec. 24/88
SURVEYS ACT			
Monuments.....	927		
(revoked by 221/81)			
Monuments.....		221/81	Apr. 25/81
amended.....		566/81	Sept. 12/81
amended.....		767/82	Dec. 11/82
amended.....		396/84	July 7/84
amended.....		96/87	Mar. 14/87
Ontario Co-ordinate System.....	929		
Survey Methods.....	928		
T			
TEACHERS' SUPERANNUATION ACT			
(See now Teachers' Superannuation Act, 1983)			
General.....	930		
amended.....		557/81	Sept. 5/81
amended.....		690/81	Nov. 7/81
amended.....		101/83	Mar. 5/83
amended.....		533/83	Sept. 3/83
amended.....		788/83	Jan. 7/84
(revoked by 423/84)			
TEACHERS' SUPERANNUATION ACT, 1983			
General.....		423/84	July 14/84
amended.....		568/84	Sept. 15/84
amended.....		776/84	Dec. 22/84
amended.....		430/85	Sept. 14/85
amended.....		540/85	Nov. 9/85

	R.R.O. 1980	O.Reg.	Date of Gazette
amended.....		695/85	Jan. 11/86
amended.....		197/86	Apr. 26/86
amended.....		279/86	May 31/86
amended.....		322/86	June 21/86
amended.....		464/86	Aug. 23/86
amended.....		112/87	Mar. 21/87
amended.....		155/87	Apr. 11/87
amended.....		517/88	Sept. 3/88
Low Pensions.....		156/87	Apr. 11/87
TECHNOLOGY CENTRES ACT, 1982			
Ontario Centre for Advanced Manufacturing.....		773/82	Dec. 11/82
amended.....		151/88	Apr. 9/88
amended.....		764/88	Jan. 7/89
Ontario Centre for Automotive Parts Technology.....		810/82	Dec. 25/82
amended.....		149/88	Apr. 9/88
amended.....		761/88	Jan. 7/89
Ontario Centre for Farm Machinery and Food Processing Technology.....		848/82	Jan. 15/83
amended.....		150/88	Apr. 9/88
amended.....		762/88	Jan. 7/89
Ontario Centre for Microelectronics.....		618/82	Oct. 2/82
amended.....		147/88	Apr. 9/88
amended.....		763/88	Jan. 7/89
Ontario Centre for Resource Machinery..... (revoked by 685/83)		774/82	Dec. 11/82
Ontario Centre for Resource Machinery Technology.....		685/83	Nov. 12/83
amended.....		148/88	Apr. 9/88
amended.....		765/88	Jan. 7/89
THEATRES ACT			
General.....	931		
amended.....		138/81	Mar. 28/81
amended.....		438/81	July 11/81
amended.....		600/81	Sept. 19/81
amended.....		29/82	Feb. 18/82
amended.....		538/83	Sept. 10/83
amended.....		56/85	Feb. 16/85
amended.....		61/85	Feb. 23/85
amended.....		679/85	Jan. 4/86
(revoked by 487/88)			
General.....		487/88	Aug. 13/88
TILE DRAINAGE ACT			
General.....	932		

TOBACCO TAX ACT

	R.R.O. 1980	O.Reg.	Date of Gazette	
Forms.....	933			
amended.....		272/82	May	8/82
amended.....		384/83	July	9/83
amended.....		605/84	Oct.	6/84
amended.....		544/86	Sept.	20/86
amended.....		474/88	Aug.	6/88
General.....	934			
amended.....		44/82	Feb.	13/82
amended.....		251/82	May	1/82
amended.....		504/83	Aug.	27/83
amended.....		605/83	Oct.	15/83
amended.....		743/84	Dec.	8/84
amended.....		117/85	Mar.	23/85
amended.....		309/85	June	22/85
amended.....		526/85	Nov.	2/85
amended.....		134/86	Apr.	5/86
amended.....		300/86	June	7/86
amended.....		539/86	Sept.	20/86
amended.....		540/86	Sept.	20/86
amended.....		63/87	Feb.	21/87
amended.....		245/87	May	23/87
amended.....		311/88	May	28/88
amended.....		361/88	June	25/88
amended.....		475/88	Aug.	6/88
amended.....		538/88	Sept.	10/88
amended.....		638/88	Nov.	5/88
amended.....		669/88	Nov.	19/88
amended.....		691/88	Dec.	3/88
Refunds.....		606/83	Oct.	15/83
amended.....		502/88	Aug.	27/88
Taxable Prices and Tax Payable on Cigarettes and Other Tobacco Products.....		439/81	July	11/81
amended.....		629/81	Oct.	10/81
amended.....		870/81	Jan.	19/82
amended.....		185/82	Apr.	10/82
amended.....		447/82	July	17/82
amended.....		640/82	Oct.	16/82
amended.....		841/82	Jan.	8/83
amended.....		185/83	Apr.	16/83
amended.....		410/83	July	16/83
amended.....		633/83	Oct.	15/83
amended.....		807/83	Jan.	14/84
amended.....		182/84	Apr.	14/84
amended.....		416/84	July	14/84
revoked.....		298/86	June	7/86

TORONTO AREA TRANSIT OPERATING AUTHORITY ACT

.....	935			
amended.....		400/81	July	4/81
amended.....		441/82	July	10/82
amended.....		380/83	July	9/83
amended.....		375/84	June	30/84
amended.....		171/85	Apr.	27/85

	R.R.O. 1980	O.Reg.	Date of Gazette	
amended.....		333/85	July	6/85
amended.....		491/86	Sept.	6/86
amended.....		341/87	June	27/87
amended.....		505/87	Sept.	12/87
amended.....		709/87	Jan.	2/88
amended.....		34/88	Feb.	6/88
amended.....		386/88	July	9/88
TOURISM ACT				
amended.....	936			
amended.....		786/81	Dec.	5/81
TRAINING SCHOOLS ACT				
amended.....	937			
amended.....		822/81	Dec.	26/81
amended.....		734/83	Dec.	10/83
amended.....		550/85	Nov.	16/85
TRANSBOUNDARY POLLUTION RECIPROCAL ACCESS ACT, 1986				
amended.....		623/86	Nov.	15/86
amended.....		431/87	Aug.	8/87
TRAVEL INDUSTRY ACT				
General.....	938			
amended.....		239/81	May	2/81
amended.....		706/81	Nov.	7/81
amended.....		304/82	May	22/82
amended.....		815/82	Jan.	1/83
amended.....		589/83	Oct.	1/83
amended.....		612/83	Oct.	15/83
amended.....		149/84	Mar.	17/84
amended.....		275/86	May	24/86
amended.....		95/88	Mar.	5/88
U				
UNIFIED FAMILY COURT ACT				
(See now <u>Courts of Justice Act, 1984</u>)				
UPHOLSTERED AND STUFFED ARTICLES ACT				
General.....	940			
amended.....		294/83	June	4/83
amended.....		621/84	Oct.	20/84
amended.....		352/86	June	28/86
amended.....		641/87	Dec.	19/87
amended.....	1988	c. 9, s.5	Jan.	7/88

	R.R.O. 1980	O.Reg.	Date of Gazette
--	----------------	--------	--------------------

V

VENEREAL DISEASES PREVENTION ACT(See now Health Protection and Promotion Act, 1983,)

General.....	941		
amended.....		499/83	Aug. 27/83
(revoked by 237/84)			

VITAL STATISTICS ACT

General.....	942		
amended.....		365/81	June 20/81
amended.....		539/83	Sept. 10/83
amended.....		332/86	June 28/86
amended.....		384/86	July 12/86
amended.....		402/87	July 25/87

VOCATIONAL REHABILITATION SERVICES ACT

General.....	943		
amended.....		247/81	May 16/81
amended.....		422/81	July 11/81
amended.....		635/81	Oct. 17/81
amended.....		823/81	Dec. 26/81
amended.....		108/82	Mar. 13/82
amended.....		735/83	Dec. 10/83
amended.....		215/84	Apr. 28/84
amended.....		335/84	June 16/84
amended.....		467/84	Aug. 4/84
amended.....		534/84	Sept. 1/84
amended.....		626/84	Oct. 20/84
amended.....		763/84	Dec. 15/84
amended.....		51/85	Feb. 16/85
amended.....		140/85	Apr. 20/85
amended.....		446/85	Sept. 21/85
amended.....		501/85	Oct. 26/85
amended.....		644/85	Dec. 28/85
amended.....		45/86	Feb. 15/86
amended.....		135/86	Apr. 5/86
amended.....		680/86	Dec. 13/86
amended.....		200/87	Apr. 25/87
amended.....		654/87	Dec. 19/87
amended.....		230/88	Apr. 30/88

W

WEED CONTROL ACT, 1988

General.....	944		
amended.....		254/86	May 24/86
amended.....		531/88	Sept. 3/88

	R.R.O. 1980	O.Reg.	Date of Gazette	
<hr/>				
WILD RICE HARVESTING ACT				
General.....	945			
WILDERNESS AREAS ACT				
Wilderness Areas.....	946			
amended.....		412/84	July	14/84
WINE CONTENT ACT				
General.....	947			
amended.....		86/82	Mar.	6/82
amended.....		602/82	Sept.	25/82
amended.....		369/83	July	9/83
WINE CONTENT ACT, 1988				
Wine Blending Requirements.....		542/88	Sept.	10/88
WOODLANDS IMPROVEMENT ACT				
General.....	948			
WOOL MARKETING ACT (See now <u>Sheep and Wool Marketing Act, 1981</u>)				
Licence Fee.....	949			
(revoked by 146/82)				
WORKMEN'S COMPENSATION ACT (See now <u>Workers' Compensation Act</u>)				
WORKERS' COMPENSATION ACT				
First-Aid Requirements.....	950			
amended.....		525/83	Sept.	3/83
General.....	951			
amended.....		526/83	Sept.	3/83
amended.....		253/85	June	8/85
amended.....		122/87	Mar.	28/87
Pension Plan.....	952			
amended.....		409/81	July	4/81
amended.....		813/82	Jan.	1/83
amended.....		66/84	Feb.	16/84
amended.....		719/84	Nov.	24/84
amended.....		301/86	June	7/86
amended.....		468/86	Aug.	23/86
amended.....		286/87	June	13/87

3 1761 11548703 5

